



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

KATHY MOLLOY PREVISICH, PLANNING DIRECTOR

April 30, 2014

Agenda Date: May 14, 2014

Agenda Item #: 6

Time: After 9:00 a.m.

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Subject: Continued Public Hearing to Consider Application 131271, a proposal to divide an existing 43,550 square foot parcel into two new lots of 19,623 square feet (Parcel A) and 19,768 square feet (Parcel B) and a street dedication of 4,159 square feet.

Members of the Commission:

This application was originally scheduled to be heard by your Commission on April 9th, 2014. Following the determination made by the Environmental Coordinator and subsequent mitigation requirements, the applicant elected to revise his Tentative Map and requested your Commission continue the hearing of this item until today.

The subject parcel contains Zayante Sandhills Habitat and is located within the portion of the County covered by the Interim Programmatic Habitat Conservation Plan (IPHCP). Although Minor Land Divisions are allowed within the IPHCP area, they are subject to numerous restrictions. One of the mitigations required during Environmental Review for the proposal, was a requirement that Development Envelopes be provided for review and approval prior to the recordation of the Parcel Map. The applicant had originally elected not to include Development Envelopes as he has no immediate plans to develop the lots and wished to retain flexibility on the exact placement of the Envelopes prior to the sale of the lots.

Upon being notified of the mitigation measure and condition of approval requirements for including the Development Envelopes prior to recordation, the applicant elected to revise the Tentative Map by including the envelopes. The revised map has been revised and approved by Environmental Planning Staff.

The conditions of approval have been revised to reflect the addition of the Development Envelope and a condition added to allow minor modifications to the Development Envelopes subject to review and approval by Environmental Planning Staff and the Planning Director. Additional changes to the conditions concern the revised timing of required submittals, including grading, drainage, and landscape plans. As there are no immediate plans to develop the resulting parcels, detailed plans will not be prepared until after the lots are sold.

The revised Tentative Map and conditions pertaining to the proposed Development Envelopes are the only changes to the project that have occurred, and were the basis for the continuance from your April 9, 2014 agenda. All other aspects of this proposal remain as described in the original staff report, included in Exhibit 1C for your review.

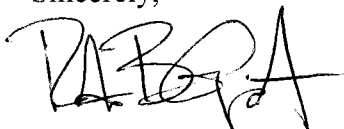
The original findings have not been revised and remain applicable.

RECOMMENDATION

The proposed project is consistent with County General Plan policies and ordinances, and staff recommends that the Planning Commission take the following action:


- Adoption of the Resolution (Exhibit 1C) to adopt the Mitigated Negative Declaration pursuant to the California Environmental Quality Act.
- **APPROVAL** of Application Number 131271 based on the attached findings and revised conditions.

Sincerely,



Robin Bolster-Grant
Project Planner
Development Review

Reviewed By: _____



Ken Hart
Principal Planner
Development Review

Exhibits:

- 1A. Revised Conditions of Approval
- 1B. Revised Tentative Map
- 1C. Staff report to the Planning Commission

Revised
Conditions of Approval

Land Division Permit 131271

Applicant: Rick Hochler

Property Owner: Rick Hochler, et al

Assessor's Parcel Number: 067-581-07

Property Address and Location: 701 Sugar Pine Road, on the southeast side of Sugar Pine Rd.
approximately 425 feet northeast of the intersection with Bob's Lane..

Exhibit A: Tentative Map prepared by Robert L. DeWitt, dated October 24, 2013, revised April 15, 2014

All correspondence and maps relating to this land division shall carry the land division number noted above.

- I. Prior to exercising any rights granted by this Approval the owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the Approval to indicate acceptance and agreement with the conditions thereof.
 - B. Pay a Negative Declaration De Minimis fee plus a \$50 filing fee (subject to change) to the Clerk of the Board of the County of Santa Cruz as required by the California Department of Fish and Game mitigation fees program. If you have received a "letter of no effect" from the Department of Fish and Game, you may submit this letter in lieu of the De Minimis fee, however the \$50 filing fee is still required. You must submit either a "letter of no effect" or the De Minimis fee with your \$50 filing fee.
 - C. Record the Conditions of Approval with the Parcel Map. The Conditions of Approval shall be applicable to all resulting parcels.
 - D. The property owner(s) shall sign and record the Development Agreement within 30 days.
- II. A Parcel Map for this land division must be recorded prior to the expiration date of the Tentative Map and prior to sale, lease or financing of any new lots. The Parcel Map shall be submitted to the County Surveyor (Department of Public Works) for review and approval prior to recordation. No improvements, including, without limitation, grading

and vegetation removal, shall be done prior to recording the Parcel Map unless such improvements are allowable on the parcel as a whole (prior to approval of the land division). The Parcel Map shall meet the following requirements:

- A. The Parcel Map shall be in general conformance with the approved Tentative Map and shall conform to the conditions contained herein. All other State and County laws relating to improvement of the property, or affecting public health and safety shall remain fully applicable.
- B. This land division shall result in no more than two (2) single-family residential lots.
- C. The minimum lot size shall be 10,000 square feet of net developable land per parcel.
- D. The following items shall be shown on the Parcel Map:
 - 1. Development Envelopes located according to the approved Tentative Map. The Development Envelopes shall be consistent with the approved Exhibit 'F' for this permit.
 - 2. Building Envelopes located according to the approved Tentative Map and in all cases shall meet the minimum setbacks for the R-1-10 (Single-Family Residential – 10,000 net developable area) zone district of 20 feet for the front yard, 10 feet for the side yards, and 15 feet for the rear yard.
 - 3. Show the net developable land area of each lot to the nearest square foot.
 - 4. All easements and dedications to be recorded prior to recordation of the Parcel Map.
 - 5. The Parcel Map shall note that development as defined in County Code Section 16.32 (Sensitive Habitat Ordinance) including land clearing to bare ground, tree removal, non-native landscaping or other disturbance is prohibited outside of the designated Development Envelope, with the exception of invasive vegetation removal and replanting with natives, as directed by the approved Restoration Plan.
- E. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
 - 1. New parcel numbers for all of the parcels must be assigned by the Assessor's Office prior to application for a Building Permit on any parcel created by this land division.

2. Lots shall be connected for water service to San Lorenzo Valley Water District. All regulations and conditions of the water district shall be met.
3. Lots shall be connected for sewer service to the City of Scotts Valley Public Works Department. All regulations and conditions of the Scotts Valley Public Works Department shall be met.
4. All future construction on the lots shall conform to the Design Guidelines approved for this land division and shall also meet the following additional conditions:
 - a. The development of any lot shall not exceed 40 % lot coverage, or 50 % floor area ratio, or any other standards as may be established for the zone district.
 - b. No fencing shall exceed three feet in height within the required front yard setback and no fencing shall exceed six feet in height within the required side and rear yard setbacks of any of the two parcels. No fences shall be permitted outside of the Development Envelope unless approved in advance by Environmental Planning staff.
5. All future development and use of the subject parcel is subject to the following restrictions:
 - a. No site disturbance other than the restoration work shown on the approved Restoration Plan shall be permitted outside of the Development Envelope shown on the Parcel Map.
 - i. Activities defined as site disturbance for the purpose of the Development Envelope include the placement of any solid material or structure, land clearing, grading, tree removal, and non-native landscaping.
 - b. All development must comply with the provisions of the Declaration of Biotic Restriction.
 - c. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out work required by another of these conditions).
 - d. No land clearing, grading, or excavating shall take place between October 15 and April 15 unless the Planning Department approves a separate winter grading approval. This approval is subject to the discretion of Environmental Planning staff.

6. Prior to any building permit issuance or ground disturbance, engineered grading, drainage and erosion control plans shall be reviewed and approved by the Planning Department. Plans shall include the following:
 - a. Limits of grading, estimated earthwork, cross sections through all pads, delineating existing and proposed cut and fill areas.
 - b. Existing and proposed drainage facilities and details of devices such as back drains, culverts, energy dissipators, etc.
 - c. An effective sediment barrier placed along the perimeter of the disturbance area and maintenance of the barrier.

III. Prior to recordation of the Parcel Map, the following requirements shall be met:

- A. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.
- B. Record a Declaration of Restriction Regarding Biotic Resources indicating that the property contains Zayante Sandhills habitat. The Declaration shall reference the two (2) newly created parcels and shall be prepared by Environmental Planning staff.
- C. Submit a Restoration Plan for review and approval by Environmental Planning staff. The Restoration Plan must include provisions for the removal of all invasive non-native plants, such as the stands of acacia along the perimeter of the site, and replacement with native Sandhills species. The Restoration Plan shall also include a provision for ongoing monitoring and removal of invasive plant species.
 1. Impacted oak trees and Ponderosa pines to be replaced onsite with local native stock at a 1-to-1 ratio within areas proposed for disturbance.
- D. All requirements of Scotts Valley Fire Protection District shall be met.
- E. Park dedication in-lieu fees shall be paid for two 3-bedroom dwellings. This fee is currently \$800 per bedroom, but is subject to change.
- F. Child Care Development fees shall be paid for two 3-bedroom dwellings. This fee is currently \$109 per bedroom, but is subject to change.

IV. Prior to the issuance of a building permit on either parcel created by this land division, the following requirements must be met:

- A. Provide a recorded maintenance agreement for any shared drainage improvements, if applicable. Include maintenance recommendations for each facility and identify who is responsible for the maintenance of each facility on the final plans.
- B. Acquire all rights of way and easements and make all dedications thereof as needed for construction of required improvements. Any and all costs incurred by the county of Santa Cruz to obtain title to any property in the event that condemnation proceedings are necessary to implement this condition, shall be paid in full by the applicant/developer prior to the recording of the Parcel Map.
- C. Bring a copy of the receipt verifying purchase of credits consistent with the area encompassed by the Development Envelope.
- D. Shall record a Declaration of Restriction Regarding Biotic Resources. The individual Declarations for the two newly created parcels will replace the Declaration recorded with the Parcel Map.
- E. Meet all requirements of the City of Scotts Valley Public Works Department as including, without limitation, the following standard conditions:
 - 1. Submit and secure final approval of an engineered sewer improvement plan providing sanitary sewer service to each parcel.
 - 2. Pay all necessary bonding, deposits, and connections fees.
- F. Meet all requirements and pay fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
- G. Engineered improvements plans for all water line extensions required by San Lorenzo Valley Water District shall be submitted for the review and approval of the water agency.
- H. All requirements of the Scotts Valley Fire Protection District shall be met.
- I. Submit complete engineered grading and drainage plans that include limits of grading; existing and proposed contours (including topography 50 feet beyond the project work limits); plan views and centerline profiles of all driveway improvements; existing and proposed drainage facilities, including details of all drainage features; complete drainage calculations and elevations of drainage features.
 - 1. Complete drainage details including existing and proposed contours, plan views and centerline profiles of all driveway improvements, complete drainage calculations, downspout configuration, construction and design details for semi-pervious surfaces, as specified in comments DPW

Stormwater staff comments. Specifically, the project engineer shall demonstrate how proposed drainage improvements will prevent adverse impacts to downstream properties as a result of undersized downstream culvert.

2. Identify on the plans the person responsible for the maintenance of any common drainage facilities, if applicable.
3. The final engineered grading plans and drainage plans shall conform to all recommendations of the geotechnical report submitted for this project. Final plans shall reference the project geotechnical report and geotechnical engineer and must comply with the following:
 - a. A plan review letter from the project geotechnical engineer is required.
 - b. Include notes on the grading plan that clearly show the existing trees to be retained.
 - c. Include lateral extents of overexcavation on the grading plans.
 - d. Plans must reference the Development Envelope with a note including a requirement for a preconstruction meeting with Environmental Planning staff. The extent of site disturbance must be delineated and approved by Environmental Planning staff prior to the start of any earthwork activities.
 - e. Plans must show location and wording for temporary fencing and signage demarcating the Development Envelope.
4. A detailed erosion control plan shall be submitted which includes the following: a clearing and grading schedule that limits grading to the period of April 15 – October 15, clearly marked Disturbance Envelope, revegetation specifications, silt barrier locations, temporary road surfacing and construction entry stabilization, sediment barriers around drain inlets, etc. This plan shall be integrated with the improvement plans that are approved by the Department of Public Works, and shall be submitted to Environmental Planning staff for review and approval prior to recording the Parcel map. The erosion control plan must include the following:
 - a. An effective sediment barrier (silt fence) placed along the perimeter of the disturbance area, located downslope of where drainage paths flow, and maintenance of the barrier.
 - b. Spoils management that prevents loose material from clearing, excavation, and other activities from entering any drainage facility.

- c. A note indicating that all construction vehicles shall utilize the existing driveway to access construction areas.
 - d. Nothing in the erosion control plan shall conflict with the Development Envelope or protection of Sandhills habitat.
 - e. The seed mix for all temporary and/or permanent seeding and mulching shall be approved by Environmental Planning staff and shall be free of non-native, invasive species.
- J. Submit a Landscape Plan for the entire site for review and approval by the Planning Department. The landscape plan shall specify plant species, size and location, and shall include irrigation plans, which meet the following criteria and must conform to all water conservation requirements of the local water district and the following conservation regulations:
 - 1. Landscaping shall exclude the use of turf grass, weed matting, aggregate and mulch.
 - 2. Plant Selection. All proposed plant species outside of the Development Envelope shall consist of Sandhills species. Landscaping within the Development Envelope shall consist of native plant species.
 - 3. The use of insecticides, herbicides, or any toxic chemical substance is prohibited, except when an emergency has been declared, when the sensitive habitat is threatened, or when a substantial risk to public health and safety exists.
- K. Meet all requirements of the Santa Cruz County Department of Public Works, Road Engineering.
- L. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located.
- M. Pre-construction meetings will be required prior to construction and all workers at the site shall participate in a tailgate session to learn about the Mount Hermon June beetle (MHJB). The tailgate session shall be conducted by a person knowledgeable about the MHJB and its habitats and approved by the U.S. Fish & Wildlife Service to monitor MHJB during construction. The approved monitor (Monitor) shall also act as a construction monitor during the erection of the temporary fencing, and grading activities.

- N. The Monitor shall periodically visit the project site throughout the construction period to insure that no impacts occur to areas outside the development envelope. The Monitor shall have the authority to immediately stop any activity that does not comply with the HCP and to order any reasonable measures to avoid MHJB.
- O. Vegetation clearing, grading, foundation work and other ground-disturbing activities shall be minimized during the growing season of the Ben Lomond spineflower and adult flight period of the Mount Hermon June Beetle (May 15 – Aug 15)
- P. Removal of native Sandhills plant species, except for the Ponderosa pines as shown on Exhibit F, shall be prohibited outside of the Development Envelope and minimized within the Development Envelope.
- Q. During construction activities, areas that have been recently disturbed by development shall be covered every evening during flight season (May 15 – Aug 15) with tarps, landscape fabric or other similar material.
- R. Permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of surrounding areas. Light sources that do not attract insects (e.g. yellow or sodium vapor bulbs) shall be used if outdoor lighting is necessary (e.g. security or handicap access structures).
- S. The Monitor shall supervise placement of the temporary construction fencing demarcating the disturbance boundaries prior to the pre-construction meeting. Appropriate signage shall be placed along the fencing that states “Protected Biotic Habitat Area – Do Not Disturb.”
- T. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100 shall be observed.
- U. All construction shall comply with the current California Building Code.
- V. To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor comply with the following measures during all construction work:

1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation; and
 2. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.
 3. The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall record the name, phone number, and nature of all complaints received regarding the construction site. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
- W. Construction of improvements shall comply with the requirements and recommendations made in the accepted geotechnical report prepared for this project. The geotechnical engineer shall inspect the completed project and certify in writing that the improvements have been constructed in conformance with all recommendations made in the report prepared for the site.
- X. The project engineer who prepared the grading plans must certify in writing that the grading was completed in conformance with the approved tentative map and/or engineered improvement plans.
- Y. All required land division improvements shall be installed and inspected prior to final inspection clearance for any new structure on the new lots.
- V. Operational Conditions
- A. All future development on lots created by this land division shall comply with the requirements set forth in Condition IV above.
 - B. The parcels shall be maintained and used in accordance with the following operational conditions:
 1. All activities defined as development in County Code Section 16.32 (Sensitive Habitat Ordinance) including land clearing, tree removal, non-native landscaping or other disturbance are prohibited on the residential parcels outside of the designated Development Envelope, without the review and approval of the Planning Director.
 2. Any modification to the Development Envelope shall be processed as an amendment to this Land Division, unless the Environmental Planning staff agree that the modification is minor and will not negatively impact Sandhills habitat and will not cause the disturbance on the two lots, taken together, to exceed 15,000 square feet, in which case such modification

may be approved by the Planning Director.

- VI. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including Approval revocation.
- VII. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
 - A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.
 - C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
 - D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
 - E. Within 30 days of the issuance of this development approval the Development Approval Holder shall record in the office of the Santa Cruz County Recorder and

agreement, which incorporates the provisions of this condition, or this development approval shall become null and void.

VIII. Mitigation Monitoring Program

The mitigation measures listed under this heading have been incorporated into the conditions of approval for this project in order to mitigate or avoid significant effects on the environment. As required by Section 21081.6 of the California Public Resources Code, a monitoring and reporting program for the mitigations is hereby adopted as a condition of approval for this project. This monitoring program is specifically described following each mitigation measure listed below. The purpose of this monitoring is to ensure compliance with the environmental mitigations during project implementation and operation. Failure to comply with the conditions of approval including the terms of the adopted monitoring program may result in permit revocation pursuant to Section 18.10.462 of the Santa Cruz County Code.

- A. Mitigation Measure BIO-1. See Revised Tentative Map and Conditions II.D.1, III.B., III.C., and IV.N through T.)

Monitoring Program: A Development Envelope corresponding to the maximum 15,000 square feet disturbance area shall be delineated on the Parcel Map, subject to approval by Environmental Planning staff, prior to recordation. The Development Envelope shall also be memorialized in a Declaration of Biotic Restriction. Additional mitigation measures are incorporated into the Declaration of Restriction, such as restrictions on the use of permanent outdoor lighting that may attract Mount Hermon June beetle (MHJB).

A Restoration Plan must be submitted, which includes provisions for removal of all invasive non-native plants, such as the stands of acacia along the perimeter of the site, and replacement with native Sandhills species. The Restoration Plan shall also include a provision for ongoing monitoring and removal of invasive plant species and the plan shall be reviewed and approved by Environmental Planning staff prior to Parcel Map recordation.

Temporary fencing and signage shall be erected prior to the start of any ground disturbance. Pre-construction meetings will also be required prior to construction and all workers at the site shall participate in a tailgate session to learn about the endangered beetle, its habitat, protective measures, and procedures to follow if any individuals of the MHJB are actually observed at the project site during the course of all construction-related activities. The tailgate session shall be conducted by a person knowledgeable about the MHJB and its habitats, and approved by the U.S. Fish & Wildlife Service to monitor MHJB during construction. The approved monitor shall also act as a construction monitor during the erection of the temporary fencing, grading and excavation activities. The approved monitor shall also periodically visit the project site throughout the construction period to insure that no impacts occur to areas outside the Development Envelope. The monitor shall have the authority to immediately stop

any activity that does not comply with the HCP and to order any reasonable measures to avoid the MHJB.

B. Mitigation Measure BIO-2 Revised Tentative Map, Condition III.C

Monitoring Program: Development Envelope shall be reviewed by Environmental Planning staff to ensure that ground disturbance and removal of Ponderosa pine and oak woodland is minimized to the greatest extent practicable. Vegetation removal and ground disturbance is prohibited until after the Development Envelope has been approved and all impacted oak trees and Ponderosa pines are to be replaced onsite with local native stock at a 1-to-1 ratio within areas proposed for disturbance (e.g. acacia removal areas).

A Restoration Plan is required to be provided to the County of Santa Cruz Planning Department for review and approval for all native trees proposed for removal.

C. Mitigation Measure BIO-3 Condition IV.S

Monitoring Program: Permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of surrounding areas. Light sources that do not attract insects (e.g. yellow or sodium vapor bulbs) shall be used if outdoor lighting is necessary (e.g. security or handicap access structures).

F. Mitigation Measure Bio-4 Condition III.C

Monitoring Program: The applicant shall submit a Restoration Plan for review and approval by Environmental Planning staff prior to the recordation of the Parcel Map. The Restoration Plan must include provisions for the removal of all invasive non-native species on the entire site and the replacement planting outside of the 15,000 square feet of allowed disturbance (Development Envelope) with native Zayante Sandhills species.

G. Mitigation Measure D Revised Tentative Map

Monitoring Program: A Development Envelope will be required to be submitted for review and approval by Environmental Planning staff prior to Parcel Map recordation. The envelope will be required to avoid and/or minimize any impacts to oak woodland to the greatest extent practicable in accordance with Chapter 16.32 (Sensitive Habitat) of the Santa Cruz County Code..

**AMENDMENTS TO THIS LAND DIVISION APPROVAL SHALL BE
PROCESSED IN ACCORDANCE WITH CHAPTER 18.10 OF THE COUNTY CODE**

This Tentative Map is approved subject to the above conditions and the attached map, and expires 24 months after the 14-day appeal period. The Parcel Map for this division, including improvement plans if required, should be submitted to the County Surveyor for checking **at least 90 days** prior to the expiration date and in no event later than 3 weeks prior to the expiration date.

cc: County Surveyor

Approval Date: _____

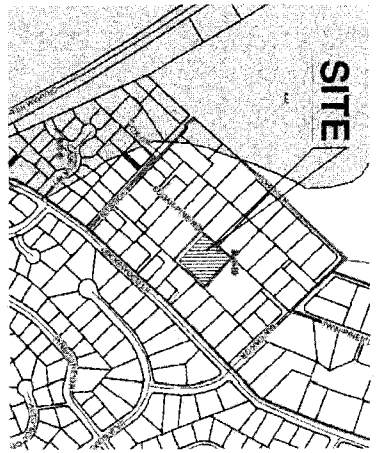
Effective Date: _____

Expiration Date: _____

Ken Hart
Principal Planner

Robin Bolster-Grant
Project Planner

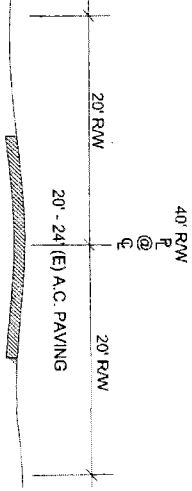
Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Planning Commission, may appeal the act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code



GENERAL NOTES:

1. Boundary information compiled from Grant Deed 2004-0041177.
2. Boundary survey to be completed for the Parcel Map following approval of the Tentative Map.
3. Topographic survey by Robert L. DeWitt & Assoc., Inc.
4. Owner and subdivider:
Rick Hoehler
335 Canham Rd
Scotts Valley, CA 95066
Ph: 831-439-8990

TYPICAL SECTION SUGAR PINE ROAD



Consent to construct upon this site is given by the undersigned as a condition of the subdivision of the land shown on the map. The undersigned warrants that the map is a true and correct representation of the land shown on the map. The undersigned warrants that the map is a true and correct representation of the land shown on the map. The undersigned warrants that the map is a true and correct representation of the land shown on the map.

UNAUTHORIZED CHANGES AND USES:

The undersigned warrants that the map is a true and correct representation of the land shown on the map. The undersigned warrants that the map is a true and correct representation of the land shown on the map. The undersigned warrants that the map is a true and correct representation of the land shown on the map.



Robert L. DeWitt
Professional Engineer
State of California
License No. 10000
Exp. 12/31/2013

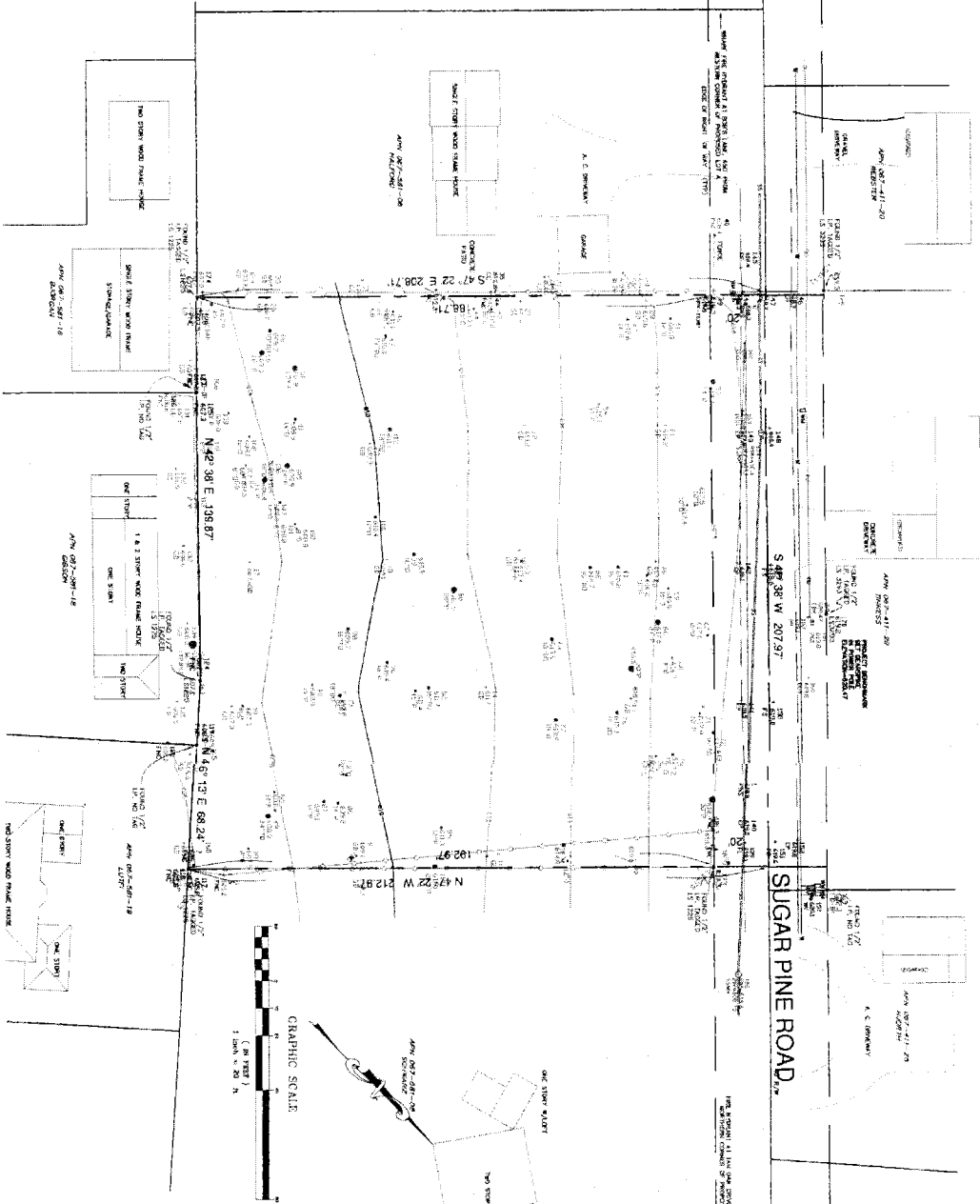


Robert L. DeWitt
Professional Engineer
State of California
License No. 10000
Exp. 12/31/2013

MINOR LAND DIVISION
PREPARED AT THE REQUEST OF
RICK HOEHLER
A.P.N. 067-581-07
SCOTTS VALLEY, CA

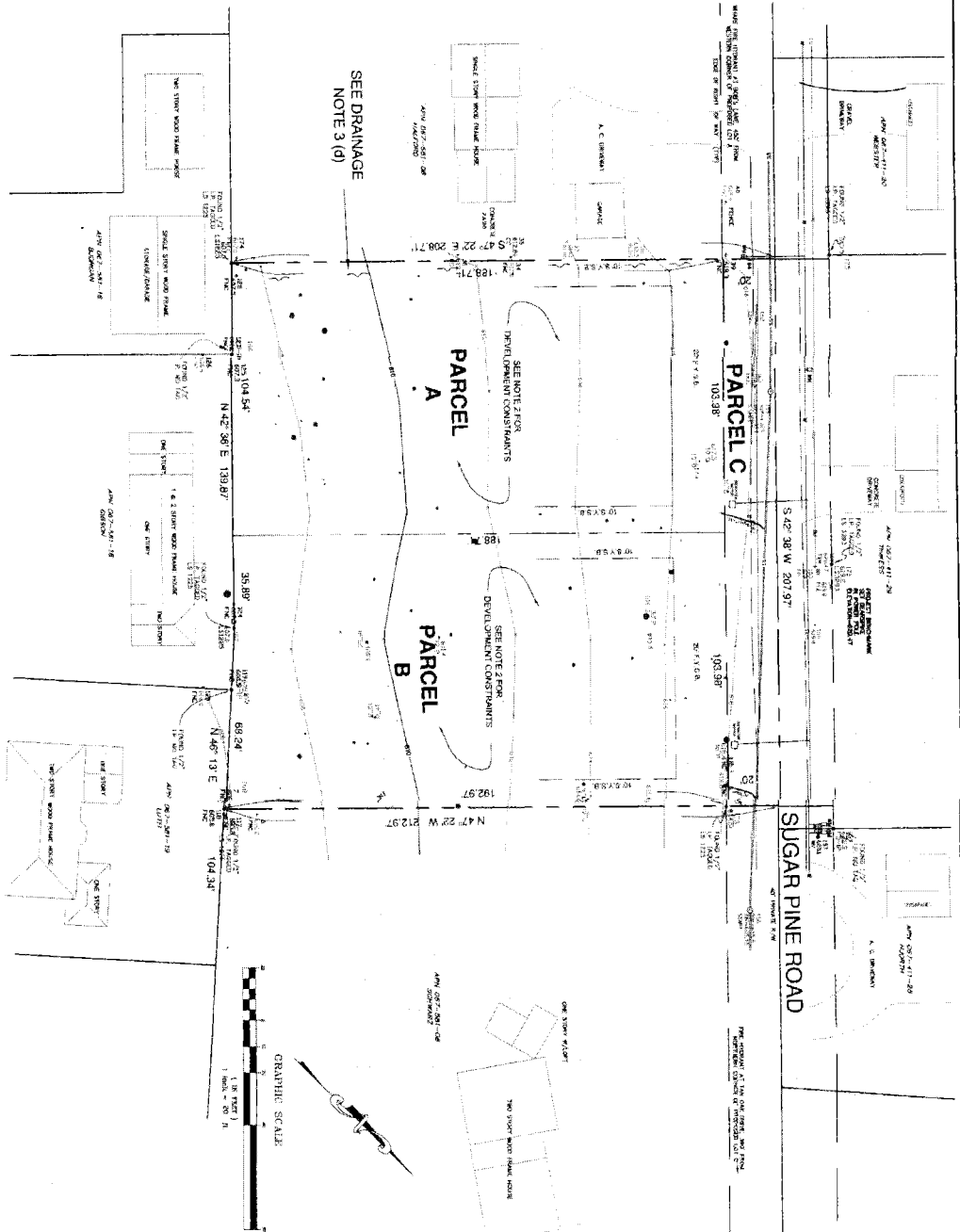
PL 2

EXISTING CONDITIONS



1	REFERENCE TO S. C. CO. CASE NUMBER 14.03.206	
2	FILE NO.	
3	DATE OF CONTENT FOR TENTATIVE EMAS	
4	Case Name: Name entered for Name/Division	
5	Survey of existing parcel: See sheet 1-1	
6	Name, address & record owner/landowner	
7	Owner:	
8	325 Graham St	
9	South Valley, CA 90068	
10	Sanlander	
11	801 Laurel Drive & Lince, Inc.	
12	Engineer	
13	1607 Duane St, Suite 1	
14	San Francisco, CA 94103	
15	Project engineer: See sheet 1-1	
16	Project engineer: See sheet 1-1	
17	Project engineer: See sheet 1-1	
18	Estimate for drainage, sewage, and utilities	
19	Estimate for drainage, sewage, and utilities	
20	Approximate boundaries of all contours, height	
21	Approximate boundaries of all contours, height	
22	Approximate boundaries of all contours, height	
23	Western portion of Parcel A	
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<u>LOT AREA SUMMARY:</u>		
	<u>GROSS AREA</u>	<u>R/W AREA</u>
EXISTING PARCEL:	43,560 s.f.	- 4,159 s.f.
PARCEL A	19,623 s.f.	39,391 s.f.
PARCEL B	19,768 s.f.	19,623 s.f.
PARCEL C (Street Dedication)		19,768 s.f.
		4,159 s.f.



10-24-13
SAFE

MINOR LAND DIVISION
PREPARED AT THE REQUEST OF
RICK HOCHLER
A.P.N. 067-581-07
SCOTT'S VALLEY, CA.

Robert L. DeWitt & Associates, Inc.
 Civil Engineers & Land Surveyors
 1637 Ocean Street, Suite 1
 Santa Cruz, California 95060
 (408) 455-1417 TE
 (408) 455-0274 FAX

Exhibit 1C

Staff Report



Staff Report to the Planning Commission

Application Number: **131271**

Applicant: Rick Hochler
Owner: Rick Hochler
APN: 067-581-07

Agenda Date: April 9, 2014
Agenda Item #:
Time: After 9:00 a.m.

Project Description: Proposal to divide an existing 43,550 square foot parcel into two new lots of 19,623 square feet (Parcel A), 19,768 square feet (Parcel B) and street dedication (Parcel C) of 4,159 square feet.

Location: Property located on the southeast side of Sugar Pine Rd. between Bobs Lane and Tan Oak Dr. (701 Sugar Pine Rd.)

Supervisory District: 5th District (District Supervisor: Bruce McPherson)

Permits Required: Minor Land Division and Adoption of the mitigated Negative Declaration under CEQA.

Staff Recommendation:

- Adoption of the Resolution (Exhibit A) to adopt the Mitigated Negative Declaration pursuant to the California Environmental Quality Act.
- Approval Application 131271, based on the attached findings and conditions.

Exhibits

- | | | |
|----|--|--|
| A. | Planning Commission Resolution | <i>Attachments 3 through 6 – Technical</i> |
| B. | Findings | <i>Reviews</i> |
| C. | Conditions | <i>Attachment 7 – Low-Effect Habitat</i> |
| D. | Mitigated Negative Declaration
(CEQA determination) | <i>Conservation Plan</i> |
| E. | Initial Study with attachments;
including:
<i>Attachment 1 – Assessor's Parcel,</i>
<i>Location, Zoning, General Plan</i> | <i>Attachments 9 and 10 – Will Serve</i>
<i>Letters</i> |
| | | F. Project Plans |
| | | G. Design Guidelines |

Parcel Information

Parcel Size: 1 acre
Existing Land Use - Parcel: Vacant
Existing Land Use - Surrounding: Low-Density Single-Family Residential
Project Access: Sugar Pine Rd.
Planning Area: Carbonera
Land Use Designation: R-UL (Urban Low Residential)
Zone District: R-1-10 (Single-family residential - 10,000 square feet per unit)
Coastal Zone: ☐ Inside ☒ Outside

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: N/A
Fire Hazard: Not a mapped constraint
Slopes: 0-15%
Env. Sen. Habitat: Zayante Sandhills Habitat: Mitigation credits purchased through land bank
Grading: No grading proposed
Tree Removal: Tree Removal required to be minimized as Condition of Approval
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
Water Supply: San Lorenzo Valley Water District
Sewage Disposal: Proposed connection to Scotts Valley Sanitation
Fire District: Scotts Valley Fire Protection District
Drainage District: None

History

In May of 2000, application 00-0397 was submitted and proposed to divide the subject lot into three new parcels. During the review of the application, Environmental Planning staff identified mapped biotic resources; including species associated with Zayante Sandhills habitat, and required the applicant to confer with the U.S. Fish and Wildlife Service for a determination as to whether the project could result in an “incidental take” of federally-protected species, requiring the preparation of a Habitat Conservation Plan (HCP). The applicant failed to provide the required information and on August 31, 2001 application 00-0397 was abandoned.

Application 06-0450 was made in August 2006 to again divide the parcel into three new lots. The application package included an HCP prepared for the subject site (Attachment 7 of Exhibit E). The HCP was submitted to and approved by the U.S. Fish & Wildlife Service and provided

mitigation in the form of conservation credits purchased from the Ben Lomond Sandhills Preserve of the Zayante Sandhills Conservation Bank (Bank). Under the terms of the agreement, no project may use the Bank if ground disturbance exceeds 15,000 square feet. The Bank was established in cooperation with the U.S. Fish & Wildlife Service to provide mitigation for small-scale development located within Sandhills habitat that has been degraded by dense development. The Bank and use of conservation credits are discussed further under the Biotic Resources section of this report.

While the purchase of credits allowed the application to move forward, the 15,000 square foot disturbance limitation proved infeasible when applied to three lots, and the application was withdrawn in June 2010.

The subject application was submitted in October 2013 and reflected a modified proposal to create just two new parcels, each limited to 7,500 square feet of ground disturbance.

Project Setting

The subject property is located on Sugar Pine Rd., a private road. The parcel to be divided is currently vacant. The surrounding area is developed with single-family homes, developed at an urban low density. The parcel is zoned R-1-10, as are the surrounding properties in the neighborhood. The General Plan designation for the subject and adjacent lots is Urban Residential-Low Density (R-UL). The subject site is located within the Urban Services Line.

The lot slopes slightly (maximum of 17%) from west to east. The majority of the parcel is vegetated with a combination of oak and ponderosa pine trees. The soil consists of silty sand and sand and constitutes Zayante Sandhills Habitat, which potentially provides habitat for several State and federally listed endangered plant and animal species. The site is located within the Interim Programmatic Habitat Conservation Plan (IPHCP) area of the County. Pursuant to the IPHCP and the approval of the Santa Cruz County Board of Supervisors, Minor Land Divisions within the IPHCP are allowed so long as the total area of disturbance is limited to 15,000 square feet. Therefore, proposed newly-created parcels are proposed to each be limited to 7,500 square feet of total disturbance.

Project Description

The project description is based on a Tentative Map prepared by Robert L. DeWitt and Associates, dated October 24, 2013 (Exhibit F). The project consists of dividing a 43,550 square foot parcel into two parcels of 19,623 net developable square feet (Parcel A), 19,768 net developable square feet (Parcel B), with a street dedication of 4,159 square feet (Parcel C). The proposal does not include Architectural Plans as no building is contemplated as part of this Minor Land Division. Design Guidelines (Exhibit G) have been submitted with the application to guide future construction of two single-family dwellings on each of the two newly-created parcels.

A condition of project approval requires a Development Envelope to be shown on the Parcel Map prior to recordation. The Development Envelope shall be reviewed and approved by Environmental Planning staff. The Development Envelope shall encompass all future development for each of the newly-created parcels to include grading, drainage improvements,

utility trenching, placement of impervious surfaces or structures, and landscaping, and shall be limited to no more than 7,500 square feet of total disturbance per parcel.

As this proposal does not include the construction of any structures or improvements, no grading or drainage plans have been submitted with the application. Conditions of approval require all future development to maintain existing drainage patterns to the greatest extent practicable and post-development runoff is required to be maintained at pre-development runoff levels.

The General Plan land use designation for the site, R-UL (Urban Low Density Residential) allows a density range of 4.4 to 7.2 units per net developable acre, which corresponds to lot size requirements of 6,000 to 10,000 square feet of net developable parcel area. Due to the presence of sensitive Sandhills Habitat throughout the entire parcel, and the limitation on ground disturbance, further division is not feasible. Therefore the proposed configuration provides the maximum density possible for this parcel.

The parcel is zoned R-1-10 (Single Family residential; 10,000 square feet of net developable land area per dwelling unit), which implements the R-UL General Plan designation. The proposed land division complies with the zoning ordinance, as the property is intended for residential use, the lot sizes meet the minimum dimensional standard for the R-1-10 zone district, and the setbacks on the newly created lots will be consistent with the minimum zone district requirements.

The proposed parcels would obtain water and sewer service from the San Lorenzo Valley Water District and the City of Scotts Valley respectively (Attachments 9 and 10 of Exhibit E).

Design Review

The proposed minor land division complies with the requirements of the County Design Review Ordinance, in that design guidelines submitted for the project incorporate the use of natural materials, such as wood, wood trim, stone, rock or brick, with colors to include light earth tones. Driveways and parking areas are encouraged to be constructed of brick, stone, or other natural materials providing permeability. Roof forms and materials shall be simply pitched gable design and consistent with the architectural style of the home, with a pitch of no less than 4 inches vertical to 12 inches horizontal. Varied plates and ridge heights are encouraged to create articulation of roof forms and massing. The adherence to the design guidelines will reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

Biotic Resources

As stated previously, the project site is located in Zayante Sandhills, an environmentally sensitive habitat. The parcel is within the area covered by the U.S. Fish and Wildlife Service Interim Programmatic Habitat Conservation Plan (IPHCP). Under the County's Operating Agreement with the Zayante Sandhills Conservation Bank, the Planning Department is authorized to accept conservation credits as mitigation for project impacts of the project under the following conditions:

- The project site is located within the IPHCP area,
- The development incorporates appropriate minimization measures to reduce impacts,
- The subject parcel is no larger than 1.5 acres,

- The proposed project is residential in nature; and
- The proposed project involves no more than 15,000 square feet of total ground disturbance.

The conservation bank was approved by the U.S. Fish & Wildlife Service to provide mitigation for potential take of Sandhills species. The Ben Lomond Sandhills Preserve, owned and managed by the conservation bank, contains critical habitat for Sandhills species and is protected in perpetuity via a conservation easement.

The Board of Supervisors voted on January 15, 2008 to allow residential land divisions to use conservation credits to mitigate project impacts in Sandhills habitat, provided that the collective disturbance area for the newly created parcels does not exceed 15,000 square feet.

While previous applications to divide the subject lot proposed to create three lots, the resulting configuration was not feasible, in that it did not allow all future disturbance to reasonably be contained within the maximum total of 15,000 square feet. The subject proposal would result in no more than two lots, thereby affording a realistic limitation on the area subject to future disturbance.

At such time that building permits are reviewed and approved, the project is conditioned to require a preconstruction meeting to verify the extent of proposed site disturbance. Additional conditions require the ongoing monitoring of construction activities by Planning Department staff, the removal of invasive plant species and the recordation of a Declaration of Restriction Regarding Biotic Resources on each newly created parcel (Exhibit E). The Declaration will help to ensure that new property owners understand the constraints on future development activities as well as providing guidance for how to maintain the remaining habitat on each site in perpetuity.

A Low-Effect Habitat Conservation Plan (HCP) has been prepared for the site and submitted to the United States Fish & Wildlife Service pursuant to the requirements of section 10(a) of the Federal Endangered Species Act. Recommendations made in the HCP have been incorporated into the Mitigated Negative Declaration prepared for this project as well as into the required conditions of approval.

Environmental Review

Environmental review is required for the proposed project per the requirements of the California Environmental Quality Act (CEQA). The project was reviewed by the County's Environmental Coordinator on February 10, 2014. A preliminary determination to issue a Negative Declaration with Mitigations (Exhibit E) was made on February 27, 2014. The mandatory public comment period expired on March 24, 2014 and no comments were received.

The environmental review process focused on the potential impacts of the project on the Zayante Sandhills habitat. The environmental review process generated mitigation measures that will reduce potential impacts from the proposed development and adequately address these issues. Mitigation measures include requiring development envelopes for each lot corresponding to the combined maximum 15,000 square foot disturbance area to be delineated on the Parcel Map,

subject to approval by Environmental Planning staff, prior to map recordation. The development envelopes shall also be memorialized in Declarations of Biotic Restriction on each lot. Additional mitigation measures are incorporated into the Declaration of Restriction, such as restrictions on removal of native Sandhills plant species, the prohibition of ground disturbing activities outside of the development envelopes and restrictions on the use of permanent outdoor lighting that may attract Mount Hermon June beetle.

A project condition is also included which requires the preparation of a Restoration Plan that includes provisions for removal of all invasive non-native plants, such as the stands of acacia along the perimeter of the site, and replacement with native Sandhills species. The Restoration Plan shall also include a provision for ongoing monitoring and removal of invasive plant species and the plan shall be reviewed and approved by Environmental Planning staff prior to Parcel Map recordation.

Additionally, conditions of approval require the construction of temporary fencing and signage prior to the start of any ground disturbance. Pre-construction meetings will also be required prior to construction and all workers at the site shall participate in a tailgate session to learn about the endangered beetle, its habitat, protective measures and procedures to follow if any individuals are actually observed at the project site during the course of construction-related activities. The tailgate sessions shall be conducted by a person knowledgeable about the Mt. Hermon June beetle and its habitats. This construction monitor shall be approved by the U.S. Fish & Wildlife Service to monitor MHJB during construction. The approved monitor shall also act as a construction monitor during the erection of the temporary fencing, initial demolition, grading and excavation activities.

The approved monitor shall also periodically visit the project site throughout the construction period to insure that no impacts occur to areas outside the development envelope. The monitor shall have the authority to immediately stop any activity that does not comply with the HCP, and to order any reasonable measures to avoid the MHJB.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

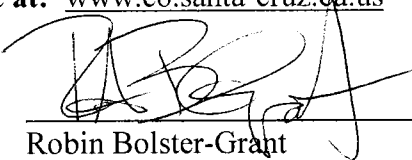
Staff Recommendation

- Adoption of the Resolution (Exhibit A) to adopt the Mitigated Negative Declaration pursuant to the California Environmental Quality Act.
- **APPROVAL** of Application Number **131271**, based on the attached findings and conditions.


Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Report Prepared By: _____


Robin Bolster-Grant
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-5357
E-mail: robin.bolster@santacruzcounty.us

Report Reviewed By: _____


Ken Hart
Principal Planner
Development Review
Santa Cruz County Planning Department

BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Commissioner
duly seconded by Commissioner
the following Resolution is adopted:

PLANNING COMMISSION RESOLUTION
ADOPTING THE MITIGATED NEGATIVE DECLARATION ON PROPOSED
MINOR LAND DIVISION APPLICATION 131271

WHEREAS, at its regular meeting on April 9, 2014 the Planning Commission convened a duly noticed public hearing to consider the proposed project and proposed adoption of a Mitigated Negative Declaration, and considered public testimony prior to taking action.

WHEREAS, the Planning Commission has held a public hearing on application No. 10-0030 involving the division of the parcel designed as APN 067-581-07 into two lots, and the Planning Commission has considered the proposed project, all testimony and evidence received at the public hearing, and the attached staff report.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Planning Commission hereby makes the following findings and hereby adopts the attached CEQA Mitigated Negative Declaration related to the proposed project.

1. The Project that was the subject of environmental review includes but is not limited to the following components:

Proposal to divide APN 067-581-07, a 43,550 square foot parcel into two new parcels of 19,623 square feet (Parcel A) and 19,768 square feet (Parcel B) and street dedication of 4,159 square feet (Parcel C)..
2. Environmental review completed for the proposed minor land division determined that the proposed project, as mitigated with identified mitigation measures, will not have a significant impact on the environment, and therefore a Mitigated Negative Declaration has been prepared in accordance with the California Environmental quality Act (CEQA), which was circulated for public comment and review on February 27, 2014. The mandatory public comment expired on March 24, 2014 and no comments were received. The Planning Commission has considered the Mitigated Negative Declaration and through adoption of this resolution hereby adopts the Mitigated Negative Declaration.
3. The Planning Commission finds, on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment, and that the mitigated Negative Declaration reflects the lead agency's independent

judgment and analysis.

4. The material which constitutes the record of proceedings upon which the Planning Commission's decision is based shall be located in the offices of the Planning Department, located at 701 Ocean Street Santa Cruz, California.

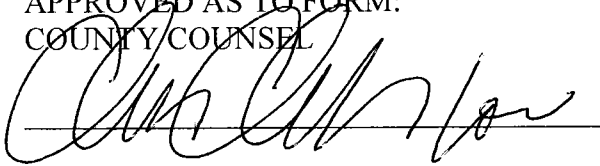
PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2014, by the following vote:

AYES:	COMMISSIONERS
NOES:	COMMISSIONERS
ABSENT:	COMMISSIONERS
ABSTAIN:	COMMISSIONERS

Chairperson

ATTEST: _____
Ken Hart, Secretary

APPROVED AS TO FORM:
COUNTY COUNSEL



Subdivision Findings

1. That the proposed subdivision meets all requirements or conditions of the Subdivision Ordinance and the State Subdivision Map Act.

This finding can be made, in that the project meets all of the technical requirements of the Subdivision Ordinance and is consistent with the County General Plan and Zoning Ordinance as set forth in the findings below.

2. That the proposed subdivision, its design, and its improvements, are consistent with the General Plan, and the Area General Plan or Specific Plan, if any.

This finding can be made in that the project creates three new single-family residential parcels and is located in the Residential-Urban Low Density General Plan designation which allows a density of one dwelling per each 6,000 to 10,000 square feet of net developable parcel area. As proposed, the two parcels of 19,623 and 19,768 square feet of net developable area are consistent with the General Plan in that the proximity and extent of the sensitive Sandhills habitat and the R-1-10 zoning of the parcel make the creation of an additional parcel infeasible. Therefore the proposed land division is consistent with the goal of development at the highest possible density.

The project is consistent with the General Plan in that the full range of urban services is available and will be extended to the new parcel created, including municipal water and sewer service. The land division is on existing streets, and no improvements are needed to provide satisfactory access to the project. The proposed land division is similar to the pattern and density of surrounding development, is near commercial shopping facilities and recreational opportunities, and will have adequate and safe vehicular access.

The land division, as conditioned, will be consistent with the General Plan regarding infill development, in that the proposed single-family development will be consistent with the pattern of the surrounding development, and the design of the proposed home is consistent with the character of the surrounding neighborhood. The land division is not in a hazardous area. While the site is located within sensitive habitat, fees paid into the Sandhills mitigation bank will provide protection of natural resources by establishing a permanent conservation easement for Sandhills species. Additional mitigation measures, such as the removal of invasive species and restrictions on allowable future disturbance will reduce impacts on plant and animal life as required by General Plan Policy 5.1.3.

The proposed Minor Land Division provides residential development in an area designated for this type and density of development.

3. That the proposed subdivision complies with zoning ordinance provisions as to uses of land, lot sizes and dimensions and any other applicable regulations.

This finding can be made, in that the use of the property will be residential in nature, unit densities meet the minimum standards for the R-1-10 (single-family residential – 10,000 square feet minimum) zone district where the project is located, and the project will be consistent with the required site standards of the R-1-10 zone district.

4. That the site of the proposed subdivision is physically suitable for the type and density of development

This finding can be made, in that no challenging topography affects the building site, technical reports prepared for the property conclude that the site is suitable for residential development, and the proposed parcels are properly configured to allow development in compliance with the required site standards. While environmental constraints exist on the site, the provision of mitigation fees and support of the Zayante Sandhills Mitigation Bank will allow land with superior habitat value to be acquired and maintained for the overall benefit of the protected species. No more than 15,000 square feet of the 43,778 (gross) square foot parcel will be disturbed as a result of the proposed Minor Land Division.

5. That the design of the proposed subdivision or type of improvements will not cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

This finding can be made, in that although the design of the proposed division of land and improvements will affect Sandhills habitat, the impact will be mitigated by the use of the Zayante Sandhills Conservation Bank, as allowed by the Board of Supervisors on January 15, 2008. Because Sandhills habitat is limited geographically and has become highly fragmented, on-site mitigation of development activities has proven to be ineffective in many cases, such as the relatively small subject parcel. The use of the bank provides a vehicle for contributing towards protecting and managing larger blocks of higher quality habitat off-site. The Low-Effect Habitat Conservation Plan (HCP) prepared for this project (Attachment 7 of Exhibit E) states:

“Habitat conditions at the project site are degraded due to the presence and abundance of various non-native plants. Without the HCP, habitat quality would probably continue to decline and no prime habitat at the conservation bank would be acquired to benefit the covered species.”

The project was reviewed by the County’s Environmental Coordinator on February 10, 2014. A preliminary determination to issue a Negative Declaration with Mitigations (Exhibit E) was made on February 27, 2014.

Conditions of approval have incorporated the required mitigation measures and will help ensure that the site disturbance proposed by this land division will not exceed the Development Envelope to be shown on the Parcel Map. Additionally, Declarations of Biotic Restriction will be required to be recorded with the County. The Declarations will ensure that resources on each site are protected from development in perpetuity.

6. That the proposed subdivision or type of improvements will not cause serious public health problems.

This finding can be made, in that municipal water and sewer are available to serve all three parcels.

7. That the design of the proposed subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision.

This finding can be made, in that the proposed lot configuration and future development will not conflict with any easements.

8. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

This finding can be made, in that the resulting parcels are oriented to the fullest extent possible in a manner to take advantage of solar opportunities.

9. The proposed development project is consistent with the design standards and guidelines (Section 13.11.070 through 13.11.076) and any other applicable requirements of this chapter.

This finding can be made, in that the Design Guidelines will ensure that future dwellings will be sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood and natural environment. The use of proposed Design Guidelines will result in dwellings that will be compatible with the architecture in the neighborhood and the surrounding pattern of development through its use of elements such as varied roof planes, porches and building materials which encourage the use of natural materials and earth tones.

Conditions of Approval

Land Division Permit 131271

Applicant: Rick Hochler

Property Owner: Rick Hochler, et al

Assessor's Parcel Number: 067-581-07

Property Address and Location: 701 Sugar Pine Road, on the southeast side of Sugar Pine Rd. approximately 425 feet northeast of the intersection with Bob's Lane..

Exhibit A: Tentative Map prepared by Robert L. DeWitt, dated October 24, 2013

All correspondence and maps relating to this land division shall carry the land division number noted above.

- I. Prior to exercising any rights granted by this Approval the owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the Approval to indicate acceptance and agreement with the conditions thereof.
 - B. Pay a Negative Declaration De Minimis fee plus a \$50 filing fee (subject to change) to the Clerk of the Board of the County of Santa Cruz as required by the California Department of Fish and Game mitigation fees program. If you have received a "letter of no effect" from the Department of Fish and Game, you may submit this letter in lieu of the De Minimis fee, however the \$50 filing fee is still required. You must submit either a "letter of no effect" or the De Minimis fee with your \$50 filing fee.
 - C. Record the Conditions of Approval with the Parcel Map. The Conditions of Approval shall be applicable to all resulting parcels.
 - D. The property owner(s) shall sign and record the Development Agreement within 30 days.
- II. A Parcel Map for this land division must be recorded prior to the expiration date of the Tentative Map and prior to sale, lease or financing of any new lots. The Parcel Map shall be submitted to the County Surveyor (Department of Public Works) for review and approval prior to recordation. No improvements, including, without limitation, grading and vegetation removal, shall be done prior to recording the Parcel Map unless such improvements are allowable on the parcel as a whole (prior to approval of the land division). The Parcel Map shall meet the following requirements:

- A. The Parcel Map shall be in general conformance with the approved Tentative Map and shall conform to the conditions contained herein. All other State and County laws relating to improvement of the property, or affecting public health and safety shall remain fully applicable.
- B. This land division shall result in no more than two (2) single-family residential lots.
- C. The minimum lot size shall be 10,000 square feet of net developable land per parcel.
- D. The following items shall be shown on the Parcel Map:
 - 1. Development Envelopes, to be reviewed and approved by Environmental Planning staff prior to submittal to the County Surveyor, which do not exceed the cumulative 15,000 square foot limitation allowed for use of the Zayante Sandhills Conservation Bank (“the Bank”).
 - a. Development Envelopes shall delineate **all** areas of proposed disturbance, including but not limited to grading, paving, trenching, fencing, land-clearing, non-native landscaping and construction. Proposed demolition of existing structures or paved areas shall not be counted toward the 15,000 square foot limitation.
 - b. Development Envelopes will be required to avoid and/or minimize any impacts to oak woodland to the greatest extent practicable.
 - c. Provide calculations supporting the area included in the Development Envelope.
 - 2. Show the net area of each lot to the nearest square foot.
 - 3. Evidence of review and approval by the local fire agency.
 - 4. The Parcel Map shall note that development as defined in County Code Section 16.32 (Sensitive Habitat Ordinance) including land clearing, tree removal, non-native landscaping or other disturbance is prohibited outside of the designated Development Envelope, with the exception of vegetation removal as directed by the approved Restoration Plan.
 - 5. All easements and dedications to be recorded prior to recordation of the Parcel Map.
 - 6. Include a note referencing the Declaration Regarding Biotic Resources.
- E. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:

1. New parcel numbers for all of the parcels must be assigned by the Assessor's Office prior to application for a Building Permit on any parcel created by this land division.
2. Lots shall be connected for water service to San Lorenzo Valley Water District. All regulations and conditions of the water district shall be met.
3. Lots shall be connected for sewer service to the City of Scotts Valley Public Works Department. All regulations and conditions of the Scotts Valley Public Works Department shall be met.
4. Applicant shall submit a Restoration Plan for review and approval by Environmental Planning staff prior to recordation of the Parcel Map. The Restoration Plan must include provisions for the removal of all invasive non-native species on the entire site and replacement of oak and Ponderosa pine trees. All planting outside of the 15,000 square feet of allowed disturbance shall be with native Zayante Sandhills species only. Restoration Plan shall also include a provision for ongoing monitoring and removal of invasive plant species. Impacted oak trees and Ponderosa pines to be replaced onsite with local native stock at a 1-to-1 ratio within areas proposed for disturbance (e.g. acacia removal areas).
5. All future construction on the lots shall conform to the Design Guidelines and shall also meet the following additional conditions:
 - a. The development of any lot shall not exceed 40 % lot coverage, or 50 % floor area ratio, or any other standards as may be established for the zone district.
 - b. No fencing shall exceed three feet in height within the required front yard setback and no fencing shall exceed six feet in height within the required side and rear yard setbacks of any of the three parcels. No fences shall be permitted outside of the Development Envelope.
 - c. All future development and use of the subject parcel is subject to the following restrictions:
 - i. No site disturbance other than the restoration work shown on the approved Restoration Plan shall be permitted outside of the Development Envelope shown on the Parcel Map.
 - ii. The construction of temporary fencing and signage is required prior to the start of any ground disturbance.
 - iii. Pre-construction meetings will be required prior to construction and all workers at the site shall participate in a tailgate session

to learn about the Mount Hermon June beetle (MHJB). The tailgate session shall be conducted by a person knowledgeable about the MHJB and its habitats and approved by the U.S. Fish & Wildlife Service to monitor MHJB during construction. The approved monitor shall also act as a construction monitor during the erection of the temporary fencing, and grading activities.

- iv. The approved monitor shall periodically visit the project site throughout the construction period to insure that no impacts occur to areas outside the development envelope. The monitor shall have the authority to immediately stop any activity that does not comply with the HCP and to order any reasonable measures to avoid MHJB.
 - v. Vegetation clearing, grading, foundation work and other ground-disturbing activities shall be minimized during the growing season of the Ben Lomond spineflower and adult flight period of the Mount Hermon June Beetle (May 15 – Aug 15)
 - vi. Removal of native Sandhills plant species, except for the Ponderosa pines as shown on Exhibit A, shall be prohibited outside of the Development Envelope and minimized within the Development Envelope.
 - vii. Landscaping shall exclude the use of turf grass, weed matting, aggregate and mulch.
 - viii. During construction, areas that have been recently disturbed by development shall be covered every evening during flight season (May 15 – Aug 15) with tarps, landscape fabric or other similar material.
 - ix. Permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of surrounding areas. Light sources that do not attract insects (e.g. yellow or sodium vapor bulbs) shall be used if outdoor lighting is necessary (e.g. security or handicap access structures).
 - d. Plans must include elevations specifying proposed colors and materials for the single-family dwelling. The colors must be muted earth tones.
6. The final plans shall be consistent with the recommendations of the accepted updated soils report for this project. A plan review letter from the project soils engineer must be submitted, which states that the final

building, grading and drainage plans are in conformance with the recommendations made in the report.

7. Submit engineered grading and drainage plans that include limits of grading, estimated earthwork, cross sections through all pads, delineating existing and proposed cut and fill areas, existing and proposed drainage facilities, and details of devices such as back drains, culverts, energy dissipators, etc.
8. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located.
9. Any changes from the approved Exhibit A, including but not limited to the Tentative Map, Preliminary Improvement Plans and attached exhibits for architectural plans, must be submitted for review and approval by the decision-making body. Such proposed changes will be included in a report to the decision-making body to consider if they are sufficiently material to warrant consideration at a public hearing noticed in accordance with Section 18.10.223 of the county Code.

III. Prior to recordation of the Parcel Map, the following requirements shall be met:

- A. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.
- B. Provide a recorded maintenance agreement for shared drainage improvements. Include maintenance recommendations for each facility and identify who is responsible for the maintenance of each facility on the final plans.
- C. Record a Declaration of Restriction Regarding Biotic Resources. The Declaration shall reference the two (2) newly created parcels.
- D. Bring a copy of the receipt verifying purchase of credits prior to map recordation.
- E. Meet all requirements of the City of Scotts Valley Public Works Department as including, without limitation, the following standard conditions:
 1. Submit and secure final approval of an engineered sewer improvement plan providing sanitary sewer service to each parcel.
 2. Pay all necessary bonding, deposits, and connections fees.
- F. Meet all requirements and pay fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.

- G. All new utilities shall be underground. All facility relocation, upgrades or installations required for utilities service to the project shall be noted on the construction plans. All preliminary engineering for such utility improvements is the responsibility of the owner/applicant. Pad-mounted transformers shall not be located in the front setback or in any area visible from public view unless they are completely screened by walls and/or landscaping (underground vaults may be located in the front setback). Utility equipment such as gas meters and electrical panels shall not be visible from public streets or building entries. Backflow prevention devices must be located in the least visually obtrusive location. All underground utilities must be located inside the Disturbance Envelope.
- H. Engineered improvements plans for all water line extensions required by San Lorenzo Valley Water District shall be submitted for the review and approval of the water agency.
- I. All requirements of the Scotts Valley Fire Protection District shall be met.
- J. Park dedication in-lieu fees shall be paid for two 3-bedroom dwellings. This fee is currently \$800 per bedroom, but is subject to change.
- K. Child Care Development fees shall be paid for two 3-bedroom dwellings. This fee is currently \$109 per bedroom, but is subject to change.
- L. Submit one reproducible copy of the Parcel Map to the County Surveyor for distribution and assignment of temporary Assessor's Parcel Numbers and situs address.
- M. Submit and secure approval of engineered improvement plans from the Department of Public Works and the Planning Department for all roads, curbs and gutters, storm drains, erosion control and other improvements required by the Subdivision Ordinance, noted on the tentative map and/or specified in these conditions of approval. A subdivision agreement backed by financial securities (equal to 150% of engineer's estimate of the cost of improvements), per Sections 14.01.510 and 511 of the Subdivision Ordinance, shall be executed to guarantee completion of this work. Improvement plans shall meet the following requirements:
 - 1. All improvement plans shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria. Plans shall also comply with applicable provisions of the California Building Code regarding accessibility.
 - 2. Complete drainage details including existing and proposed contours, plan views and centerline profiles of all driveway improvements, complete drainage calculations, downspout configuration, construction and design details for semi-pervious surfaces, as specified in comments DPW Stormwater staff comments. Specifically, the project engineer shall demonstrate how proposed drainage improvements will prevent adverse

impacts to downstream properties as a result of undersized downstream culvert.

3. Submit complete engineered grading and drainage plans that include limits of grading; existing and proposed contours (including topography 50 feet beyond the project work limits); plan views and centerline profiles of all driveway improvements; existing and proposed drainage facilities, including details of all drainage features; complete drainage calculations and elevations of drainage features.
 - a. Identify on the plans the person responsible for the maintenance of any common drainage facilities.
 - b. The final engineered grading plans and drainage plans shall conform to all recommendations of the geotechnical report submitted for this project. Final plans shall reference the project geotechnical report and geotechnical engineer and must comply with the following:
 - i. A plan review letter from the project geotechnical engineer is required.
 - ii. Include notes on the grading plan that clearly show the existing trees to be retained.
 - iii. Include lateral extents of overexcavation on the grading plans.
 - iv. The final grading plans shall be reviewed and approved by the Environmental Planning Section of the Planning Department and the Department of Public Works.
 - v. The grading plans must reference the Development Envelope with a note including a requirement for a preconstruction meeting with Environmental Planning staff. The extent of site disturbance must be delineated and approved by Environmental Planning staff prior to the start of any earthwork activities.
4. A detailed erosion control plan shall be submitted which includes the following: a clearing and grading schedule that limits grading to the period of April 15 – October 15, clearly marked Disturbance Envelope, revegetation specifications, silt barrier locations, temporary road surfacing and construction entry stabilization, sediment barriers around drain inlets, etc. This plan shall be integrated with the improvement plans that are approved by the Department of Public Works, and shall be submitted to Environmental Planning staff for review and approval prior to recording the Parcel map. The erosion control plan must include the following:
 - a. An effective sediment barrier (silt fence) placed along the

perimeter of the disturbance area, located downslope of where drainage paths flow, and maintenance of the barrier.

- b. Spoils management that prevents loose material from clearing, excavation, and other activities from entering any drainage facility.
 - c. A note indicating that all construction vehicles shall utilize the existing driveway to access construction areas.
 - d. Nothing in the erosion control plan shall conflict with protection of Sandhills habitat.
 - e. The seed mix for all temporary and/or permanent seeding and mulching shall be approved by the project biologist and shall be free of non-native, invasive species.
- 5. Acquire all rights of way and easements and make all dedications thereof as needed for construction of required improvements. Any and all costs incurred by the county of Santa Cruz to obtain title to any property in the event that condemnation proceedings are necessary to implement this condition, shall be paid in full by the applicant/developer prior to the recording of the Parcel Map.
- N. Submit a Landscape Plan for the entire site for review and approval by the Planning Department. The landscape plan shall specify plant species, size and location, and shall include irrigation plans, which meet the following criteria and must conform to all water conservation requirements of the local water district and the following conservation regulations:
 - 1. Turf shall not be allowed.
 - 2. Plant Selection. All proposed plant species outside of the Development Envelope shall consist of Sandhills species. Landscaping within the Development Envelope shall consist of native plant species.
 - 3. The use of insecticides, herbicides, or any toxic chemical substance is prohibited, except when an emergency has been declared, when the sensitive habitat is threatened, or when a substantial risk to public health and safety exists.
- IV. Prior to any land clearing, earthwork or other site disturbance or site work on the subject property the following conditions shall be met:
 - A. The applicant shall convene a pre-construction meeting on the site. The following parties shall attend: the project engineer, project contractor supervisor, Environmental Planning staff, grading contractor, Department of Public Works Grading Inspector, and the approved biologist. All protection fencing delineating

the Development Envelope shall be inspected at this time.

- B. The project biologist shall supervise placement of the temporary construction fencing demarcating the disturbance boundaries prior to the pre-construction meeting. Appropriate signage shall be placed along the fencing that states "Protected Biotic Habitat Area – Do Not Disturb."
- C. A biologist/entomologist approved by the U.S. Fish & Wildlife Service shall act as Construction Monitor with the following duties:
 - 1. Oversee the installation and maintenance of temporary fencing and signage.
 - 2. Conduct an educational session with all construction workers prior to the individuals working on site.
 - 3. Observe all grading activities.
 - 4. Routinely inspect the work site to ensure all protection measures are being implemented.
- V. All future construction within the property shall meet the following conditions:
 - A. All required land division improvements shall be installed and inspected prior to final inspection clearance for any new structure on the new lots.
 - B. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out work required by another of these conditions).
 - C. No land clearing, grading, or excavating shall take place between October 15 and April 15 unless the Planning Department approves a separate winter grading approval. This approval may or may not be granted.
 - D. No land disturbance shall be permitted to encroach beyond the approved Disturbance Envelope shown on the Parcel Map, with the exception of the demolition/moving of existing structures and/or paved areas subject to restoration.
 - E. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established

in Sections 16.40.040 and 16.42.100 shall be observed.

- F. All construction shall comply with the current California Building Code.
- G. To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor comply with the following measures during all construction work:
 - 1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation; and
 - 2. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.
 - 3. The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall record the name, phone number, and nature of all complaints received regarding the construction site. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
- H. Construction of improvements shall comply with the requirements and recommendations made in the accepted geotechnical report prepared for this project. The geotechnical engineer shall inspect the completed project and certify in writing that the improvements have been constructed in conformance with all recommendations made in the report prepared for the site.
- I. The project engineer who prepared the grading plans must certify in writing that the grading was completed in conformance with the approved tentative map and/or engineered improvement plans.
- J. Prior to building permit approval the applicant shall submit color and material samples, building plans and shall record a Declaration of Restriction Regarding Biotic Resources. The individual Declarations for the three newly created parcels will replace the Declaration recorded with the Parcel Map.

VI. Operational Conditions

- A. All future development on lots created by this land division shall comply with the requirements set forth in Condition II.E. above.
- B. The parcels shall be maintained and used in accordance with the following operational conditions:
 - 1. All activities defined as development in County Code Section 16.32 (Sensitive Habitat Ordinance) including land clearing, tree removal, non-

native landscaping or other disturbance are prohibited on the residential parcels outside of the designated Development Envelope, without the review and approval of the Planning Director.

2. Any modification to the Development Envelope shall be processed as an amendment to this Land Division, unless the project biologist and Environmental Planning staff agree that the modification is minor and will not negatively impact Sandhills habitat and will *not* cause the disturbance on the three lots, taken together, to exceed 15,000 square feet, in which case such modification may be processed as a Minor Variation.
- C. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including Approval revocation.
- VII. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
 - C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the

interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

- D. Successors Bound. “Development Approval Holder” shall include the applicant and the successor’(s) in interest, transferee(s), and assign(s) of the applicant.
- E. Within 30 days of the issuance of this development approval the Development Approval Holder shall record in the office of the Santa Cruz County Recorder and agreement, which incorporates the provisions of this condition, or this development approval shall become null and void.

VIII. Mitigation Monitoring Program

The mitigation measures listed under this heading have been incorporated into the conditions of approval for this project in order to mitigate or avoid significant effects on the environment. As required by Section 21081.6 of the California Public Resources Code, a monitoring and reporting program for the mitigations is hereby adopted as a condition of approval for this project. This monitoring program is specifically described following each mitigation measure listed below. The purpose of this monitoring is to ensure compliance with the environmental mitigations during project implementation and operation. Failure to comply with the conditions of approval including the terms of the adopted monitoring program may result in permit revocation pursuant to Section 18.10.462 of the Santa Cruz County Code.

A. Mitigation Measure BIO-1. Conditions II.D, II.E, IV.A, IV.B, IV.C

Monitoring Program: A Development Envelope corresponding to the maximum 15,000 square feet disturbance area shall be delineated on the Parcel Map, subject to approval by Environmental Planning staff, prior to recordation. The Development Envelope shall also be memorialized in a Declaration of Biotic Restriction. Additional mitigation measures are incorporated into the Declaration of Restriction, such as restrictions on the use of permanent outdoor lighting that may attract Mount Hermon June beetle (MHJB).

A Restoration Plan must be submitted, which includes provisions for removal of all invasive non-native plants, such as the stands of acacia along the perimeter of the site, and replacement with native Sandhills species. The Restoration Plan shall also include a provision for ongoing monitoring and removal of invasive plant species and the plan shall be reviewed and approved by Environmental Planning staff prior to Parcel Map recordation.

Temporary fencing and signage shall be erected prior to the start of any ground disturbance. Pre-construction meetings will also be required prior to construction and all workers at the site shall participate in a tailgate session to learn about the endangered beetle, its habitat, protective measures, and procedures to follow if any individuals of the MHJB are actually observed at the project site during the course of all construction-related activities. The tailgate session shall be

conducted by a person knowledgably about the MHJB and its habitats, and approved by the U.S. Fish & Wildlife Service to monitor MHJB during construction. The approved monitor shall also act as a construction monitor during the erection of the temporary fencing, grading and excavation activities. The approved monitor shall also periodically visit the project site throughout the construction period to insure that no impacts occur to areas outside the Development Envelope. The monitor shall have the authority to immediately stop any activity that does not comply with the HCP and to order any reasonable measures to avoid the MHJB.

B. Mitigation Measure BIO-2 Condition II.D., II.E

Monitoring Program: Development Envelope shall be reviewed by Environmental Planning staff to ensure that ground disturbance and removal of Ponderosa pine and oak woodland is minimized to the greatest extent practicable. Vegetation removal and ground disturbance is prohibited until after the Development Envelope has been approved and all impacted oak trees and Ponderosa pines are to be replaced onsite with local native stock at a 1-to-1 ratio within areas proposed for disturbance (e.g. acacia removal areas).

A Restoration Plan is required to be provided to the County of Santa Cruz Planning Department for review and approval for all native trees proposed for removal.

C. Mitigation Measure BIO-3 Condition II.E.5

Monitoring Program: Permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of surrounding areas. Light sources that do not attract insects (e.g. yellow or sodium vapor bulbs) shall be used if outdoor lighting is necessary (e.g. security or handicap access structures).

F. Mitigation Measure Bio-4 Condition III.E.4

Monitoring Program: The applicant shall submit a Restoration Plan for review and approval by Environmental Planning staff prior to the recordation of the Parcel Map. The Restoration Plan must include provisions for the removal of all invasive non-native species on the entire site and the replacement planting outside of the 15,000 square feet of allowed disturbance (Development Envelope) with native Zayante Sandhills species.

G. Mitigation Measure D Condition II.D

Monitoring Program: A Development Envelope will be required to be submitted for review and approval by Environmental Planning staff prior to Parcel Map recordation. The envelope will be required to avoid and/or minimize any impacts to oak woodland to the greatest extent practicable in accordance with Chapter 16.32 (Sensitive Habitat) of the Santa Cruz County Code..

**AMENDMENTS TO THIS LAND DIVISION APPROVAL SHALL BE
PROCESSED IN ACCORDANCE WITH CHAPTER 18.10 OF THE COUNTY CODE**

This Tentative Map is approved subject to the above conditions and the attached map, and expires 24 months after the 14-day appeal period. The Parcel Map for this division, including improvement plans if required, should be submitted to the County Surveyor for checking **at least 90 days** prior to the expiration date and in no event later than 3 weeks prior to the expiration date.

cc: County Surveyor

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Ken Hart
Principal Planner

Robin Bolster-Grant
Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Planning Commission, may appeal the act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code



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

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

MITIGATED NEGATIVE DECLARATION

Project: Hochler Land Division

APN(S): 067-581-07

Project Description: Proposal to divide a 39,391 net square foot parcel into two parcels of 19,623 and 19,768 net square feet with 4,159 square feet proposed for street dedication.

Project Location: The project is located on the southeast side of Sugar Pine Road approximately 425 feet northeast of the intersection with Bob's Lane (701 Sugar Pine Road).

Owner: Rick Hochler, et.al.

Applicant: Rick Hochler

Staff Planner: Robin Bolster-Grant, (831) 454-5357

Email: Robin.Bolster@santacruzcounty.us

This project will be considered a public hearing by the Planning Commission. The date, time and location have not yet 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: March 24, 2014

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

Date: 2/27/14

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



County of Santa Cruz

PLANNING DEPARTMENT

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CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ENVIRONMENTAL REVIEW INITIAL STUDY

Date: February 10, 2014

Application Number: 131271

Staff Planner: Robin Bolster-Grant

I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

APPLICANT: Rick Hochler

APN(s): 067-581-07

OWNER: Rich Hochler, et al.

SUPERVISORAL DISTRICT: 5th

PROJECT LOCATION: Project located on the southeast side of Sugar Pine Rd. approximately 425 feet northeast of the intersection with Bob's Lane (701 Sugar Pine Road).

SUMMARY PROJECT DESCRIPTION:

Proposal to divide a 39,391 net square foot parcel into two parcels of 19,623 and 19,768 net square feet, with 4,159 square feet proposed for street dedication.

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"/> 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 |

EXHIBIT E

DISCRETIONARY APPROVAL(S) BEING CONSIDERED:

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

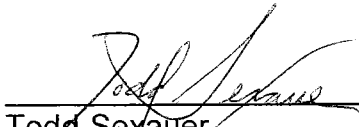
NON-LOCAL APPROVALS

No other agencies are required to 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

2/27/14

Date



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

MITIGATION MONITORING AND REPORTING PROGRAM for the

Application No. 131271, 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, 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?	<p>A development envelope corresponding to the maximum 15,000 square feet disturbance area shall be delineated on the parcel map, subject to approval by Environmental Planning staff, prior to map recordation. The development envelope shall also be memorialized in a Declaration of Biotic Restriction (wording included in Attachment 10). Additional mitigation measures are incorporated into the Declaration of Restriction, such as restrictions against removal of native Sandhills plant species, the prohibition of ground disturbing activities outside of the development envelope and restrictions on the use of permanent outdoor lighting that may attract MHJB.</p> <p>A project condition shall be included which requires the preparation of a Restoration Plan that includes provisions for removal of all invasive non-native plants, such as the stands of acacia along the perimeter of the site, and replacement with native Sandhills species. The Restoration Plan shall also include a provision for ongoing monitoring and removal of invasive plant species and the plan shall be reviewed and approved by Environmental Planning staff prior to Parcel Map recordation.</p> <p>Additionally, conditions of approval require the construction of temporary fencing and signage prior to the start of any ground disturbance. Pre-construction meetings will also be required prior to construction and all workers at the site shall participate in a tailgate session to learn about the endangered beetle, its habitat, protective measures, and procedures to follow if any individuals of the MHJB are actually observed at the project site during the course of all construction-related activities. The tailgate session shall be conducted by a person knowledgeable about the MHJB and its habitats, and approved by the U.S. Fish & Wildlife Service to monitor MHJB during construction. The approved monitor shall also act as a construction monitor during the erection of the temporary fencing, initial demolition, grading, and excavation activities.</p> <p>The approved monitor shall also periodically visit the project site throughout the construction period to insure that no impacts occur to areas outside the development envelope. The monitor shall have the authority to immediately stop any activity that does not comply with the HCP, and to order any reasonable measures to avoid the MHJB.</p>	Applicant and County Planning Department	Compliance monitored by the County Planning Department	To be implemented during project design, construction and monitoring period.
BIO-2	Have a substantial adverse effect on any riparian habitat or	Refer to comments under BIO-1 above. In addition, the proposed development envelope shall be reviewed by Environmental Planning staff to ensure that ground disturbance and removal of Ponderosa pine and oak	Applicant and County Planning Department	Compliance monitored by the County Planning Department	To be implemented during project design, construction

No.	Environmental Impact	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	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?	woodland is minimized to the greatest extent practicable. Additional mitigation measures shall include prohibiting vegetation removal and ground disturbance until after the development envelope has been approved, and requiring all impacted oak trees and Ponderosa pines to be replaced onsite with local native stock at a 1-to-1 ratio within areas proposed for disturbance (e.g. acacia removal areas). Additionally, a Restoration Plan shall be required to be provided to the County of Santa Cruz Planning Department for review and approval for all native trees proposed for removal. Implementation of these mitigation measures would ensure that the impact to sandhills habitat and oak woodland would be reduced to a less than significant level.		Department	and monitoring period.
BIO-3	Produce nighttime lighting that would substantially illuminate wildlife habitats?	The development area is within Sandhills Habitat, which could be adversely affected by a new or additional source of light that is not adequately deflected or minimized. The following mitigation would reduce any potential impact to a less than significant level: Permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of surrounding areas. Light sources that do not attract insects (e.g. yellow or sodium vapor bulbs) shall be used if outdoor lighting is necessary (e.g. security or handicap access structures).	Applicant and County Planning Department	Compliance monitored by the County Planning Department	To be implemented during project design, construction and operations.
BIO-4	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)?	A Development Envelope will be required to be submitted for review and approval by Environmental Planning staff prior to Parcel Map recordation. The envelope will be required to avoid and/or minimize any impacts to oak woodland to the greatest extent practicable in accordance with Chapter 16.32 (Sensitive Habitat) of the Santa Cruz County Code. Also see mitigations listed under section BIO-1 above.	Applicant and County Planning Department	Compliance monitored by the County Planning Department	To be implemented during project design, construction and monitoring period.

II. BACKGROUND INFORMATION

EXISTING SITE CONDITIONS

Parcel Size: 43,550 square feet (gross); 39,391 square feet (net)
Existing Land Use: vacant land
Vegetation: scattered oaks and ponderosa pines, cleared understory
Slope in area affected by project: ☒ 0 - 30% ☐ 31 - 100%
Nearby Watercourse: None
Distance To: Eagle Creek, located approximately 2,000 feet south

ENVIRONMENTAL RESOURCES AND CONSTRAINTS

Water Supply Watershed: Mapped Resource	Fault Zone: None mapped
Groundwater Recharge: Mapped Resource	Scenic Corridor: None mapped
Timber or Mineral: No mapped resource	Historic: No mapped resource
Agricultural Resource: No mapped resource	Archaeology: Mapped;; no resources found
Biologically Sensitive Habitat: Zayante Sandhills Habitat - IPHCP area	Noise Constraint: No constraint
Fire Hazard: None mapped	Electric Power Lines: No hazard
Floodplain: Not mapped	Solar Access: Available
Erosion: High Potential (Attachment 3)	Solar Orientation: Available
Landslide: No potential (Attachment 3)	Hazardous Materials: Low potential
Liquefaction: No potential (Attachment 3)	Other:

SERVICES

Fire Protection: Scotts Valley Fire Protection	Drainage District: N/A
School District: Scotts Valley USD	Project Access: Sugar Pine Road (private)
Sewage Disposal: Will-serve letter from City of Scotts Valley	Water Supply: Will-serve letter from San Lorenzo Valley Water District

PLANNING POLICIES

Zone District: R-1-1- (Single-Family Residential – 10,000 square foot minimum lot size)	Special Designation: None
General Plan: R-UL (Urban Low Residential)	
Urban Services Line: <input checked="" type="checkbox"/> Inside	<input type="checkbox"/> Outside
Coastal Zone: <input type="checkbox"/> Inside	<input checked="" type="checkbox"/> Outside

ENVIRONMENTAL SETTING AND SURROUNDING LAND USES:

The subject property is located on Sugar Pine Rd., a private road. The parcel to be divided is currently vacant. The surrounding area is developed with single-family homes, developed at an urban low density. The parcel is zoned R-1-10, as are the surrounding properties in the neighborhood. The General Plan designation for the subject and adjacent lots is Urban Residential-Low Density (R-UL). The subject site is located within the Urban Services Line.

The lot slopes slightly (maximum of 17%) from west to east. The majority of the parcel is vegetated with a combination of oak and ponderosa pine trees. The soil consists of silty sand and sand and constitutes Zayante Sandhills Habitat, which potentially provides habitat for several state and federally listed endangered plant and animal species. The site is located within the Interim Programmatic Habitat Conservation Plan (IPHCP) area of the County and an HCP was prepared for this site and submitted to and approved by the U.S. Fish & Wildlife Service. Pursuant to the IPHCP and the approval of the Santa Cruz County Board of Supervisors, Minor Land Divisions within the IPHCP are allowed so long as the total area of disturbance is limited to 15,000 square feet. Therefore, proposed newly-created parcels are proposed to each be limited to 7,500 square feet of total disturbance.

DETAILED PROJECT DESCRIPTION:

The project description is based on a Tentative Map prepared by Robert L. DeWitt and Associates dated October 24, 2013. The project consists of dividing a 43,550 square foot parcel into two parcels of 19,623 net developable square feet (Parcel A), 19,768 net developable square feet (Parcel B), with a street dedication of 4,159 square feet (Parcel C). The proposal does not include Architectural Plans as no building is contemplated as part of this Minor Land Division. Design Guidelines have been submitted with the application to guide future building of two single-family dwellings on each of the two newly-created parcels.

The Parcel Map for the Minor Land Division would state that all future development for each of the newly-created parcels shall be limited to no more than 7,500 square feet of total disturbance, to include grading, drainage improvements, utility trenching, placement of impervious surfaces or structures, and landscaping.

As this proposal does not include the construction of any structures or improvements, no grading or drainage plans have been submitted with the application. Conditions of approval require all future development to maintain existing drainage patterns to the greatest extent practicable and post-development runoff is required to maintain pre-development runoff levels.

The General Plan land use designation for the site, R-UL (Urban Low Density Residential) allows a density range of 4.4 to 7.2 units per net developable acre, which corresponds to lot size requirements of 6,000 to 10,000 square feet of net developable parcel area. Due to the presence of sensitive Sandhills Habitat throughout the entire

parcel, further division is not feasible. Therefore the proposed configuration provides the maximum density possible for this parcel.

The proposed parcels would obtain water and sewer service from the San Lorenzo Valley Water District and the City of Scotts Valley respectively.

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:

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.
 - B. Strong seismic ground shaking?
 - C. Seismic-related ground failure, including liquefaction?
 - D. Landslides?

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

Discussion (A through D): There are no mapped faults on or adjacent to the subject property. The closest mapped fault is the Zayante-Vergeles, which is located approximately 6 miles northeast of the subject parcel. Therefore, ground rupture of a known earthquake fault was not an area of concern in the geotechnical report submitted for the site prepared by Butano Geotechnical Engineering, dated June 26, 2006 (Attachment 3). The geotechnical report was reviewed and accepted by the Environmental Planning Section on October 23, 2013.

Foundations for the any future structures must be designed in accordance with the most recent California Building Code (CBC). The subject property will likely be subjected to strong seismic shaking from one of the local fault systems during the life of the planned structure. The Geotechnical Report submitted for the proposed project recommends that all planned improvements be designed to resist seismic shaking. Specific seismic design parameters are listed in the report and the applicant would be required to submit a plan review letter that reflects the seismic design parameters based on the 2010 California Building code requirements for review and approval by Planning Staff prior to parcel map recordation. According to the Geotechnical Report prepared for the site, the soils that underlie the site are very loose and moderately

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compressible silty sands and poorly graded sands with silt. To minimize the potential for differential settlement, the consulting geotechnical engineer recommends overexcavation and recompaction of the surface layer. While the near-surface soils exhibit high erosion potential, the project conditions of approval require all future construction to adhere to industry best management practices for erosion control during construction.

The topography of the site is relatively flat. Surrounding land is also primarily flat; therefore the potential for significant impacts due to erosion on the site is low. Additionally landslides are not an area of concern for the proposed development.

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 geotechnical report (Attachment 3) submitted for the proposed development did not identify landslides, lateral spreading, or liquefaction as areas of concern based on silty sand and sandy soils found on the site. Additionally, groundwater was not encountered during the field exploration and the topography is relatively flat. The geotechnical report did not identify fault zones, fault traces, or landslides on or around the subject parcel. The report provides recommendations for grading and foundation design and the applicant would be required to submit an update to this report that reflects the requirements of the most current California Building Code, prior to any future building permit issuance. Final building foundations and grading plans must comply with the most current California Building Code to resist seismic shaking and avoid structural collapse and shall be reviewed and approved by Environmental Planning staff prior to parcel map recordation.

3. Develop land with a slope exceeding 30%? ☐ ☐ ☐ ☒

Discussion: There are no slopes that exceed 30% on the property.

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

Discussion: Some potential for erosion exists during the site grading for this project, however, this potential is minimal because the site is essentially flat and standard erosion controls are a required condition of the project. Per Section 16.22.060, prior to approval of a grading or building permit, the project must have an approved Erosion Control Plan, which would specify detailed erosion and sediment control measures, and include provisions for disturbed areas to be stabilized and maintained to minimize surface erosion. Therefore, the impacts of erosion resulting from construction and grading would be less than significant.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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: The geotechnical report (Attachment 3) for the project did not identify any elevated risk associated with 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"/>
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Discussion: No septic systems are proposed. The project would obtain a connection to sewer service from the City of Scotts Valley (Attachment 6), and the applicant would be required to pay standard sewer connection and service fees that fund sanitation improvements within the district as a Condition of Approval for the project.

7. Result in coastal cliff erosion?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The proposed project is not located on or 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 type="checkbox"/>	<input checked="" type="checkbox"/>
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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.

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"/>
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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.

3. Be inundated by a seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Discussion: The subject property is located several miles from the ocean or other bodies of water.

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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 San Lorenzo Valley Water District and would not rely on private well water. Although the project would incrementally increase water demand, The San Lorenzo Valley Water District has indicated that adequate supplies are available to serve the project and has issued a will-serve letter for the proposed project, subject to the payment of fees and charges in effect at the time of service and upon completion of the installation of any water mains, service connections, hydrants and other facilities required for the development under the rules and regulations of the department (Attachment 6). The development would also be subject to the water conservation requirements. The project is located in a mapped groundwater recharge area; however conditions of project approval would require the implementation of retention and/or detention systems in order to retain stormwater runoff on site. The use of semi-pervious and pervious surfaces would also be required as design features for future development.

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| 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.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The existing drainage pattern would not be significantly altered by the addition of proposed improvements and construction of two new single-family dwellings. Future paved driveway surface would be required to be permeable or semi-permeable. There are no nearby watercourses; therefore the proposed drainage patterns would not alter the course of a stream or river or contribute to flooding, erosion, or siltation off-site. The Department of Public Works Stormwater Management Staff and County Environmental Planning Staff have reviewed and approved the Tentative Map and a condition of approval of the project would require the applicant to obtain Environmental Planning and Public Works approval of final drainage and erosion control plans prior to parcel map recordation, which would avoid impacts.

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"/>
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Discussion: Drainage Calculations prepared by Robert L. DeWitt & Associates, Inc. dated October 4, 2013 (Attachment 5), have been reviewed for potential drainage impacts and accepted by the Department of Public Works (DPW) Drainage Section staff. The calculations show that the post development runoff rate would not exceed the pre-development rate.

Prior to parcel map recordation, the applicant would be required to submit the following for review and approval by Department of Public Works Stormwater Management Staff:

- Final plans, details and analysis for the proposed on-site and off-site stormwater facilities and associated watershed and sub-watershed maps.
- Details showing the direction of site overflow and mitigations (storage and limited release rate) if required.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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- Demonstrate that the post development runoff rate would not exceed the predevelopment runoff rate for a 5-year storm.

In addition, the applicant/property owner must obtain approval for final erosion control plans from County environmental Planning Staff prior to parcel map recordation to avoid impacts during project construction to less than significant.

Refer to response B-5 for discussion of urban contaminants and/or other polluting runoff.

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? ☐ ☐ ☐ ☒

Discussion: The distance from the subject site to the nearest waterway is over 2,000 feet. Therefore, discharges of runoff from the site would not contribute to flooding.

10. Otherwise substantially degrade water quality? ☐ ☐ ☐ ☒

Discussion: Few pollutants would be added to the existing water supply as a result of this project. Department of Public Works Stormwater Management Staff have reviewed and approved the Tentative Map and would review and approve final drainage plans prior to parcel map recordation to ensure that appropriate treatment methods are proposed to treat runoff prior to discharge off site and also to ensure the appropriate placement and design of treatment facilities, such as vegetated swales. This condition would ensure that the impacts of runoff on water quality would be avoided. See responses B-4 regarding impacts to water supply.

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: The site contains Zayante Sandhills Habitat and there is therefore potential for incidental take of the endangered Mount Hermon June beetle. A Low-Effect Habitat Conservation Plan (HCP) was prepared by Richard A. Arnold, PhD. (Attachment 8) for this site. The HCP states that during a 2001 presence-absence survey conducted for the subject site, 45 Mount Hermon June beetle (MHJB)

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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specimens were observed. Because of the potential take resulting from the subject development, the applicant applied for a section 10(a)(1)(B) permit from the U.S. Fish & Wildlife Service.

The goal of the HCP is to compensate for the MHJB habitat impacted by the proposed development. The applicant therefore has purchased conservation credits for the endangered MHJB from the Ben Lomond Sandhills Preserve of the Zayante Sandhills Conservation Bank (Bank). The Bank was established in cooperation with the U.S. Fish & Wildlife Service to provide mitigation for small-scale development located within sandhills habitat that has been degraded by dense development. Bank properties support a number of state and federally-listed plant and animal species and the purchase of credits provides a funding mechanism to manage and protect the habitat in perpetuity. One Bank credit can be purchased for every acre of proposed disturbance, which is defined as both temporary and permanent ground disturbance including but not limited to earthwork, trenching, paving, and storage of equipment and materials.

Although the HCP prepared for this project provides for the purchase of .903 credits (corresponding to over 39,000 square feet of disturbance based on one credit per acre), implementation of the County Sensitive Habitat Ordinance (Section 16.32 of the County Code) requires additional minimization of development activities within Sensitive Habitat. Therefore, the subject project would be allowed to disturb no more than 15,000 square feet or 0.344 Bank credits.

A development envelope corresponding to the maximum 15,000 square feet disturbance area shall be delineated on the parcel map, subject to approval by Environmental Planning staff, prior to map recordation. The development envelope shall also be memorialized in a Declaration of Biotic Restriction (wording included in Attachment 10). Additional mitigation measures are incorporated into the Declaration of Restriction, such as restrictions against removal of native Sandhills plant species, the prohibition of ground disturbing activities outside of the development envelope and restrictions on the use of permanent outdoor lighting that may attract MHJB.

A project condition shall be included which requires the preparation of a Restoration Plan that includes provisions for removal of all invasive non-native plants, such as the stands of acacia along the perimeter of the site, and replacement with native Sandhills species. The Restoration Plan shall also include a provision for ongoing monitoring and removal of invasive plant species and the plan shall be reviewed and approved by Environmental Planning staff prior to Parcel Map recordation.

Additionally, conditions of approval require the construction of temporary fencing and signage prior to the start of any ground disturbance. Pre-construction meetings will also be required prior to construction and all workers at the site shall participate in a tailgate session to learn about the endangered beetle, its habitat, protective measures, and procedures to follow if any individuals of the MHJB are actually observed at the

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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sandhills habitat and oak woodland would be reduced to a less than significant level.

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

Discussion: The proposed project does not involve any activities that would interfere with the movements or migrations of fish or wildlife, or impede use of a known wildlife nursery site. Also, refer to section C-1 above for a discussion of the Habitat Conservation Plan prepared for this project.

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

Discussion: The subject property is located in an urbanized area and is surrounded by existing residential development that currently generates nighttime lighting.

The development area is within Sandhills Habitat, which could be adversely affected by a new or additional source of light that is not adequately deflected or minimized. The following mitigation would reduce any potential impact to a less than significant level: Permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of surrounding areas. Light sources that do not attract insects (e.g. yellow or sodium vapor bulbs) shall be used if outdoor lighting is necessary (e.g. security or handicap access structures).

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

Discussion: No wetlands, as defined by Section 404 of the Clean Water Act, have been identified on or in proximity of the site.

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

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Wetland Protection Ordinance, and the
Significant Tree Protection
Ordinance)?

Discussion: The project would not conflict with any local policies or ordinances. Mitigation measures serve to minimize the disturbance of sensitive Sandhills Habitat to an acceptable level by limiting all disturbances to a total of 15,000 square feet and through the purchase of over 39,000 square feet of conservation credits to offset the allowed disturbance. Additionally, a Development Envelope would be required to be submitted for review and approval by Environmental Planning staff prior to Parcel Map recordation. The envelope will be required to avoid and/or minimize any impacts to oak woodland to the greatest extent practicable in accordance with Chapter 16.32 (Sensitive Habitat) of the Santa Cruz County Code. Also see mitigations listed under section C-1 above.

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

Discussion: An adopted Habitat Conservation Plan has been prepared for this project (Attachment 8). The proposed land division is consistent with the provisions of the Habitat Conservation Plan and incorporates the mitigations contained within the Plan.

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

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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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? ☐ ☐ ☐ ☒

Discussion: The project site is zoned R-1-10 (single-family residential, 10,000 square feet per unit), which is not considered to be an agricultural zone. 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. No impact is anticipated.

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 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? ☐ ☐ ☐ ☒

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? ☐ ☐ ☐ ☒

Discussion: The project site and surrounding area within radius of 3.2 mile(s) does not contain any lands designated as Prime Farmland, Unique Farmland, Farmland of Statewide Importance or Farmland of Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, no Prime Farmland, Unique Farmland, Farmland of

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Statewide, or Farmland of Local Importance would be converted to a non-agricultural use. In addition, the project site contains no forest land, and no forest land occurs within 1.5 mile(s) of the proposed project site. Therefore, no impacts are anticipated.

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.

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| 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 R-1-10 (single-family residential – 10,000 square feet per unit) 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.

F. VISUAL RESOURCES AND AESTHETICS

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Have an adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project would not directly impact any public scenic resources, as designated in the County's General Plan (1994), or obstruct any public views of these visual resources.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Substantially damage scenic resources, within a designated scenic corridor or public view shed area including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is not located along a County designated scenic road, public viewshed area, scenic corridor, within a designated scenic resource area, or

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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within a state scenic highway. Therefore, no impact is anticipated.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. Substantially degrade the existing visual character or quality of the site and its surroundings, including substantial change in topography or ground surface relief features, and/or development on a ridgeline? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The surrounding properties consist of parcels of less than 1 acre in area that are developed with single-family dwellings and that receive urban services. The subject parcel is relatively flat and vegetated with a large number of mature trees. The envelopes on the two proposed parcels would require a minimal amount of grading. The applicant would be required to obtain approval of final grading plans by Environmental; Planning staff prior to building permit issuance to ensure that the site grading is minimal and does not impact the existing character of the site.

The Design Guidelines submitted for this project call for the use of natural materials and earth tones at the exterior of the future dwellings, as well as native landscaping. These design considerations would ensure that the project would result in no impact to visual character of the site or surroundings.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The addition of two single family dwellings would not be expected to create substantial light or glare.

G. CULTURAL RESOURCES

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The site is currently vacant and no historic resources exist in proximity to the site. Therefore no impacts to historical resources would occur as a result of this project.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA | <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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Guidelines Section 15064.5?

Discussion: According to the Archaeological Reconnaissance Survey for the parcel performed by the Santa Cruz Archaeological Society, dated June 26, 2000 (Attachment 9), there is no evidence of pre-historic cultural resources. However, pursuant to Section 16.40.040 of the Santa Cruz County Code, if archeological resources are uncovered during construction, the responsible persons shall immediately cease and desist from all further site excavation and comply with the notification procedures given in County Code Chapter 16.40.040.

3. Disturb any human remains, including those interred outside of formal cemeteries? ☐ ☐ ☒ ☐

Discussion: Pursuant to Section 16.40.040 of the Santa Cruz County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this project, human remains are discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the sheriff-coroner and the Planning Director. If the coroner determines that the remains are not of recent origin, a full archeological report shall be prepared and representatives of the local Native California Indian group shall be contacted. Disturbance shall not resume until the significance of the archeological resource is determined and appropriate measures to preserve the resource on the site are established.

4. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ☐ ☐ ☐ ☒

Discussion: The subject parcel is not within or in the vicinity of a mapped paleontological resource area; therefore no impacts to paleontological resources would result from this project.

H. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

1. Create a significant hazard to the public or the environment as a result of the routine transport, use or disposal of hazardous materials? ☐ ☐ ☐ ☒

Discussion: No hazardous materials would be transported, used, or disposed as a part of the proposed land division or future home construction; therefore there is no impact.

2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the ☐ ☐ ☐ ☒

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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release of hazardous materials into the environment?

Discussion: The recordation of the parcel map and future residential uses on the site would not involve the release of hazardous materials into the environment, which would create a significant hazard to the public or environment; therefore there is no impact.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The site is located approximately 1.7 miles north of the closest existing or proposed school (Brook Knoll Elementary), therefore there are no impacts from the proposal on existing or proposed schools.

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. | Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is not included on the January 30, 2014 list of hazardous sites in Santa Cruz County compiled pursuant to the specified code.

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The parcel is not located within an airport land use plan or within two miles of a public or public use airport therefore there is no impact.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. | For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <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
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Discussion: The parcel is not located within the vicinity of private airstrip.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project does not conflict with the County's adopted Emergency Management Plan (April 2002). Specific countywide evacuation routes are not designated in the emergency Management Plan; rather feasible routes are determined based on particular events. The creation of a second parcel and future construction of two single-family dwellings within a highly urbanized setting would not negatively impact access to any evacuation routes.

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 8. | Expose people to electro-magnetic fields associated with electrical transmission lines? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Electric lines associated with the future construction of two single-family dwellings would not be high voltage transmission and no such lines are known to exist in the immediate vicinity of the project site. Therefore, people would not be exposed to electromagnetic fields.

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 9. | Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is not located within a mapped critical fire hazard area. The project design incorporates all applicable fire safety code requirements and includes fire protection devices as required by the local fire agency.

I. TRANSPORTATION/TRAFFIC

Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to | <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
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intersections, streets, highways and
freeways, pedestrian and bicycle
paths, and mass transit?

Discussion: The project would create a small incremental increase in traffic on nearby roads and intersections. However, given the small number of new trips created by the future development of two new single-family dwellings, this increase is less than significant. Further, the increase would not cause the Level of Service at any nearby intersection to drop below Level of Service D. Additionally, the project is required to pay standard development fees intended to address the impact of new development on County-maintained roads.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project does not impact air traffic patterns, therefore there is no impact.

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed development would result in an additional parcel and the construction of two single-family dwellings in a residential neighborhood. The project would take access from a private road, which meets all County standards.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. | Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project's road access meets County standards and has been approved by the Scotts Valley Fire Protection District and would provide adequate emergency access.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. | Cause an increase in parking demand which cannot be accommodated by existing parking facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project meets the code requirements for the required number of parking spaces and therefore new parking demand would be accommodated on site.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. | Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or | <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
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otherwise decrease the performance
or safety of such facilities?

Discussion: The proposed project would comply with current road requirements to prevent potential hazards to motorists, bicyclists, and/or pedestrians. Additionally, the right-of-way located at the parcel frontage would be offered for dedication to the County to allow for possible future improvements to multi-modal users, if needed.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. | Exceed, either individually (the project alone) or cumulatively (the project combined with other development), a level of service standard established by the County General Plan for designated intersections, roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See response I-1 above.

J. NOISE

Would the project result in:

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project would create an incremental increase in the existing noise environment. However, this increase would be small, and would be similar in character to noise generated by the surrounding existing residential uses.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: No excessive groundborne vibrations or noise levels would be created as a result of the proposed minor land division and two future single family dwellings.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Exposure of persons to or generation of noise levels in excess of standards established in the General Plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Per County policy, average hourly noise levels shall not exceed the General Plan threshold of 50 Leq during the day and 45 Leq during the nighttime. The subject parcel is surrounded by parcels developed with single-family dwellings and is not located adjacent to a heavily traveled roadway or stationary noise source; therefore, the proposed creation of two parcels does not have the potential to expose

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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people to noise levels in excess of General Plan standards.

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. | A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Noise generated during construction would increase the ambient noise levels for adjoining areas. Construction would be temporary and limited to the hours of 8:00AM to 6:00 PM, excluding weekends and holidays. Impacts would be considered less than significant.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is not located within an airport land use plan or within two miles of a public airport; therefore there is no impact.

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. | For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is not located within the vicinity of a private airstrip; therefore there is no impact.

K. AIR QUALITY

Where available, the significance criteria established by the Monterey Bay Unified Air Pollution Control District (MBUAPCD) may be relied upon to make the following determinations. Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. | Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The North Central Coast Air Basin does not meet state standards for ozone and particulate matter (PM₁₀). Therefore, the regional pollutants of concern that would be emitted by the project are ozone precursors (Volatile Organic Compounds [VOCs] and nitrogen oxides [NO_x]), and dust.

Given the modest amount of new traffic that would be generated by the project there is no indication that new emissions of VOCs or NO_x would exceed MBUAPCD thresholds

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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for these pollutants and therefore there would not be a significant contribution to an existing air quality violation.

Project construction may result in a short-term, localized decrease in air quality due to generation of dust. However, standard dust control best management practices, such as periodic watering, would be implemented during construction to avoid impacts.

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. | Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The population from the combination of the existing and permitted housing units in the County of Santa Cruz unincorporated area plus the future addition of two single-family dwellings is less than the regional forecasts for the County. Therefore, the proposed project is consistent with the 2008 regional forecasts and the Air Quality Management Plan.

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. | Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See K-1 above.

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. | Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: No substantial pollutant concentrations would be emitted during or as a result of the proposed minor land division and future home construction. While short-term construction activities may result in the emissions of CO₂ and criteria pollutants (e.g. particulates, carbon monoxide, etc.), standard dust control measures and limited hours of operation would ensure that any such exposure would not be significant.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. | Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: No objectionable odors would be created during construction or as a result of the proposed housing project. Therefore there is no impact.

L. GREENHOUSE GAS EMISSIONS

Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. | Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the | <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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environment?

Discussion: The proposed project, like all development, would be responsible for an incremental increase in green house gas emissions by usage of fossil fuels during the site grading and construction. All project construction equipment would be required to comply with the California Air Resources Board emissions requirements for construction equipment. Greenhouse gas (GHG) emissions would be emitted by off-road and on-road construction equipment and worker vehicles.

The County Board of Supervisors approved the *County of Santa Cruz Climate Action Strategy* (CAS) on February 26, 2013. No thresholds of significance for project-generated GHG emissions were included in the CAS. Instead, the County is looking to the Monterey Bay Unified Air Pollution Control District (MBUAPCD) for guidance in this area. The MBUAPCD has not yet adopted recommended thresholds of significance for land use projects within the North Central Coast Air Basin. However, on February 20, 2013, the MBUAPCD Board of Directors received an informational report on the status of developing GHG emissions thresholds for evaluating projects under CEQA. (MBUAPCD 2013). Although no action was taken, staff recommended further review of a GHG threshold of 2,000 metric tons of CO₂ equivalent (MTCO₂e) per year for land use projects or compliance with an adopted GHG reduction plan/climate action plan.

All project construction equipment would be required to comply with the Regional Air Quality Control Board emissions requirements for construction equipment. As a result, impacts associated with the temporary increase in GHG emissions are expected to be less than significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See the discussion under L-1 above. The proposed project would be consistent with the *county of Santa Cruz Climate Action Strategy* approved by the Board of Supervisors on February 26, 2013. In addition, the project would be required to comply with the updated 2013 California Building Code Energy Efficiency Standards. Therefore, the proposed project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases..

M. PUBLIC SERVICES

Would the project:

1. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks or other recreational activities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities; including the maintenance of roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a through e): While the project represents an incremental contribution to the need for services, the increase would be minimal. Moreover, the project meets all of the standards and requirements identified by the local fire agency or California Department of Forestry, as applicable, and school, park, and transportation fees to be paid by the applicant would be used to offset the incremental increase in demand for school and recreational facilities and public roads.

N. RECREATION

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project would result in the future development of two new single-family dwellings, which would potentially increase the use of an existing regional park or other recreational facilities; however the additional impact would not substantially add to or accelerate the physical deterioration of the facility. Additionally, capital improvement fees will be assessed for the construction of the two dwellings, which would further reduce the potential for accelerated physical deterioration of community parks and recreational facilities.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: See N-1 above.

O. UTILITIES AND SERVICE SYSTEMS

Would the project:

1. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: Drainage analysis of the project, performed by Robert DeWitt & Associates, dated October 4, 2013 (Attachment 6) concluded that the preliminary design for the storm drain system is adequate and efficient for the proposed development and in conformance with the County of Santa Cruz Design Criteria. Department of Public Works Drainage staff has reviewed the drainage information and there is no indication that the project would require or result in the construction of new storm water drainage facilities or expansion of existing facilities. A condition of project approval requires that any increased stormwater storage volumes be accommodated on site.

2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The project would connect to an existing municipal water supply. San Lorenzo Valley Water District has determined that adequate supplies are available to serve the project (Attachment 6).

Municipal sewer service is available to serve the project, as reflected in the attached letter from the City of Scotts Valley Sanitation District (Attachment 7).

3. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The project's wastewater flows would not violate any wastewater treatment standards.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The San Lorenzo Valley Water District has determined that the existing water supplies are sufficient to serve the proposed project and that no new entitlements or expanded entitlements are needed.

5. Result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: See Sections O-2 and O-4

6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The project would make a one-time contribution to the reduced capacity of regional landfills during construction. However, no demolition is required to accommodate the future single-family dwellings. The impacts of temporary construction debris associated with the housing project would be less than significant.

7. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: Solid waste accumulation is anticipated to increase as a result of the new residential uses; however the increase is not anticipated to result in a breach of federal, state, or local statutes and regulations.

P. LAND USE AND PLANNING

Would the project:

1. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or	<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
--------------------------------------	--	------------------------------------	-----------

mitigating an environmental effect?

Discussion: The proposed project does not conflict with any regulations or policies adopted for the purpose of avoiding or mitigating an environmental effect.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed minor land division complies with the provisions of the Low-Effect Habitat Conservation Plan prepared for this site (Attachment 8).

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project would not include any element that would physically divide an established community.

Q. POPULATION AND HOUSING

Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is designed at the density and intensity of development allowed by the proposed General Plan and zoning designations for the parcel. Additionally, the project constitutes infill development in an urbanized part of the County. The project does not involve extensions of utilities (e.g., water, sewer, or new road systems) into areas previously not served. Consequently, it is not expected to have a significant growth-inducing effect.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed project would not displace any existing housing since the site is currently vacant and provides the opportunity for two new single-family dwelling units.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The proposed project would not displace a substantial number of people since the site is currently vacant.

R. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion: The potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in Section III of this Initial Study. Resources that have been evaluated as significant would be potentially impacted by the project, particularly protected species associated with Zayante Sandhills and oak woodland. However, mitigation has been included that clearly reduces these effects to a level below significance. This mitigation includes the preparation of a Habitat Conservation Plan and the purchase of credits from the Ben Lomond Sandhills Preserve of the Zayante Sandhills Conservation Bank (Bank). Future disturbance will be limited to the 15,000 square feet covered by the purchase of credits, per the Interim Programmatic Habitat Conservation Plan. A Development Envelope would be required to be reviewed and approved by Environmental Planning staff to ensure that the future construction will avoid tree removal and habitat impact to the greatest extent practicable. As a result of this evaluation, there is no substantial evidence that, after mitigation, significant effects associated with this project would result. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

- | | Potentially
Significant
Impact | Less than
Significant
with
Mitigation | Less than
Significant
Impact | No
Impact |
|--|--------------------------------------|--|-------------------------------------|--------------------------|
| 2. Does the project have impacts that are individually limited, but cumulatively considerable? ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion: In addition to project specific impacts, this evaluation considered the projects potential for incremental effects that are cumulatively considerable. As a result of this evaluations, it has been determined that there is no substantial evidence that there are significant cumulative effects associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

- | | Potentially
Significant
Impact | Less than
Significant
with
Mitigation | Less than
Significant
Impact | No
Impact |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| 3. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion: In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to specific questions in Section III. As a result of this evaluation, there were determined to be no potentially significant effects to human beings associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

V. REFERENCES USED IN THE COMPLETION OF THIS ENVIRONMENTAL REVIEW INITIAL STUDY

County of Santa Cruz 1994.

1994 General Plan and Local Coastal Program for the County of Santa Cruz, California. Adopted by the Board of Supervisors on May 24, 1994, and certified by the California Coastal Commission on December 15, 1994.

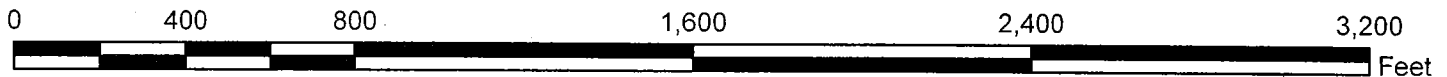
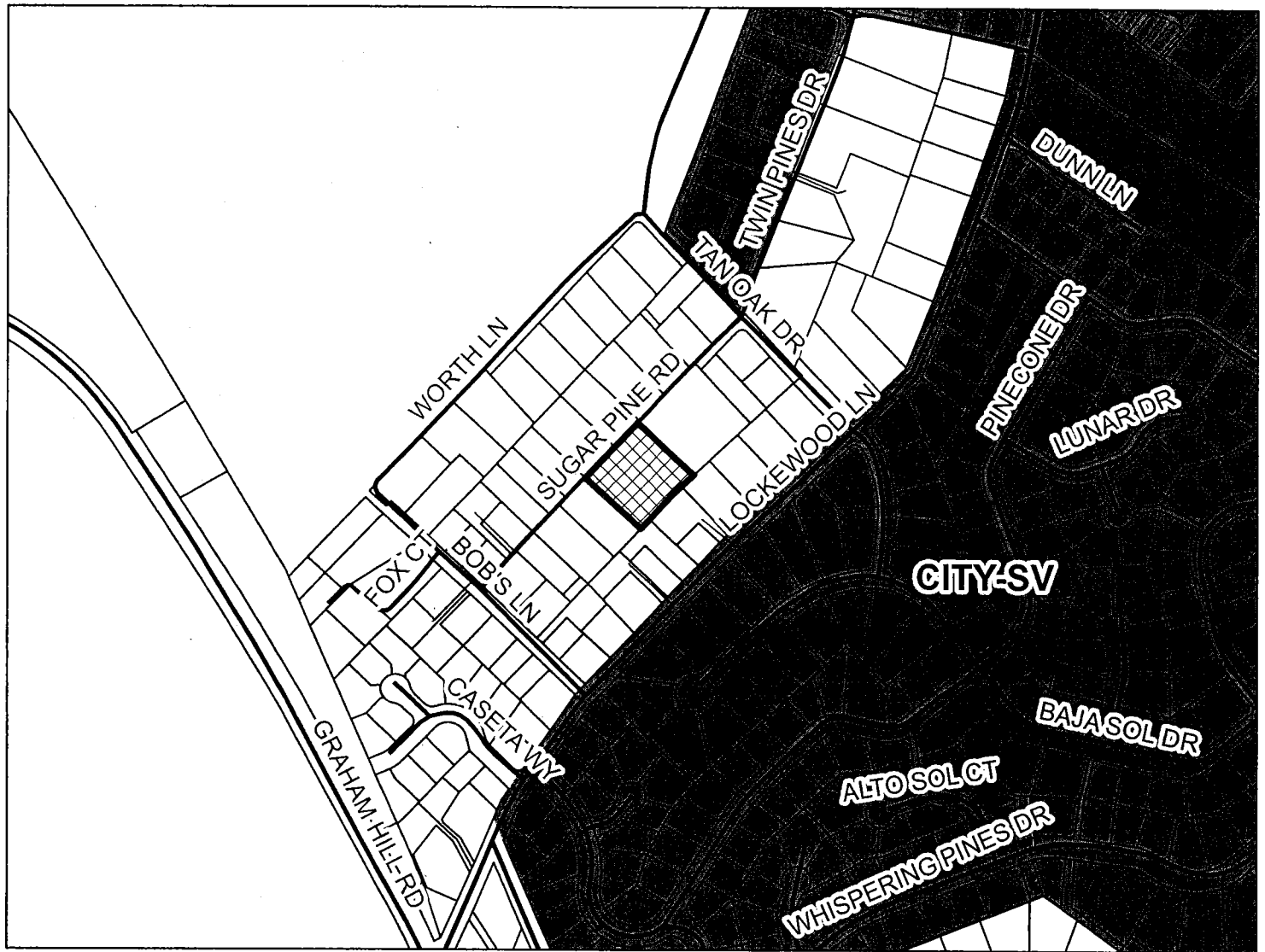
VI. ATTACHMENTS

1. *Vicinity Map, Map of Zoning Districts; Map of General Plan Designations; and Assessors Parcel Map.*
2. *Project Plans*, prepared by Robert L. DeWitt & Associates, Inc.
3. *Geotechnical Investigation (Conclusions and Recommendations)*, prepared by Butano Geotechnical Engineering, Inc. dated June 26, 2006



4. *Geotechnical Review Letter*, prepared by Kent Edler, Senior Civil Engineer, County of Santa Cruz, dated October 23, 2013
5. *Drainage Calculations (Summary and Conclusions)*, prepared by Robert L. DeWitt & Associates, Inc. Engineers, dated October 4, 2013
6. *Letter from San Lorenzo Valley Water District*, dated September 13, 2013
7. *Memo from City of Scotts Valley, Public Works*, dated October 3, 2013
8. *Low Effect Habitat Conservation Plan for the Endangered Mount Hermon June Beetle* prepared by Richard Arnold, dated August 2006
9. *Archaeological Survey*, prepared by The Santa Cruz Archaeological Society, dated 6/26/00
10. *Biotic Declaration of Restriction for Sandhills Habitat*

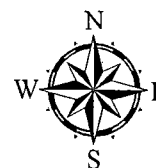


Location Map



LEGEND

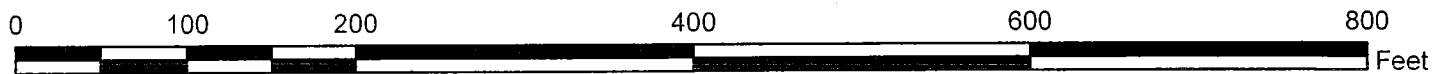
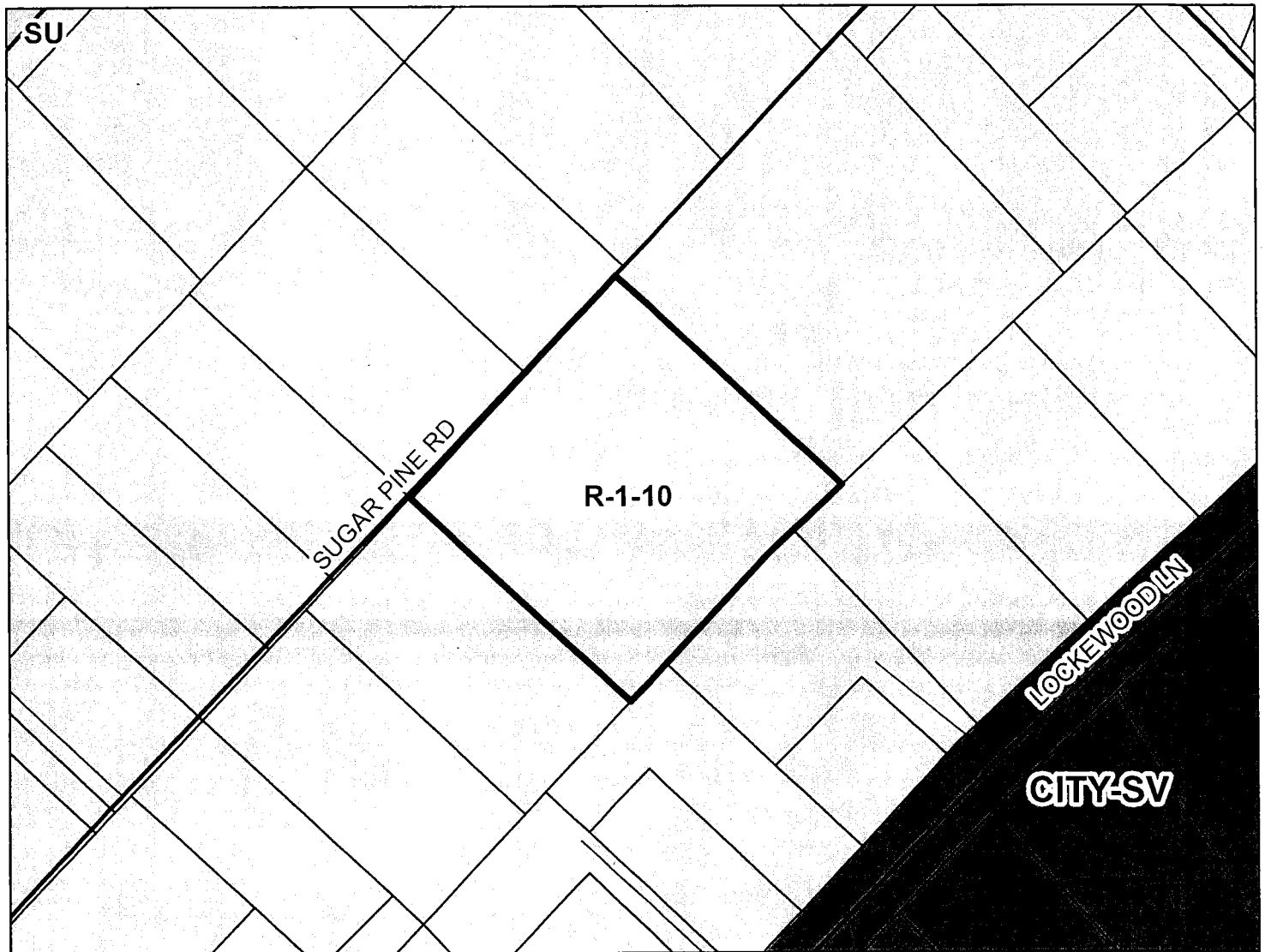
-  APN: 067-581-07
-  Assessors Parcels
-  Street
-  CITY OF SCOTTS VALLEY









Map Created by
County of Santa Cruz
Planning Department
October 2013

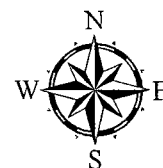


Zoning Map



LEGEND

-  APN: 067-581-07
-  Assessors Parcels
-  Street
-  CITY OF SCOTTS VALLEY
-  RESIDENTIAL-SINGLE FAMILY
-  SPECIAL USE

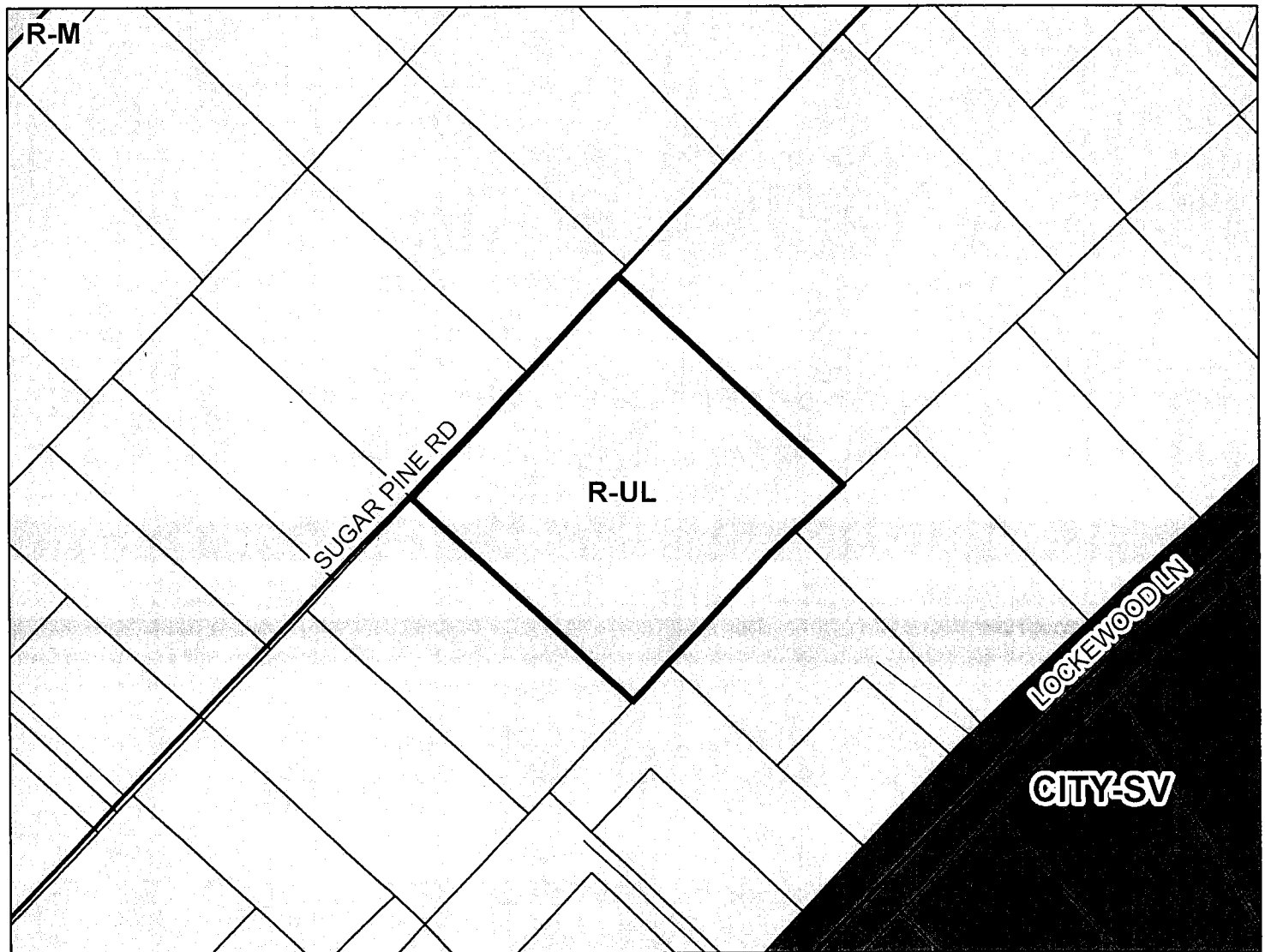


Map Created by
County of Santa Cruz
Planning Department
October 2013







EXHIBIT E
ATTACHMENT 1

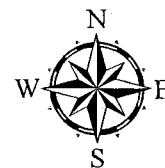


General Plan Designation Map



LEGEND

-  APN: 067-581-07
-  Assessors Parcels
-  Street
-  CITY OF SCOTTS VALLEY
-  Residential - Urban Low Density
-  Residential-Mountain



Map Created by
County of Santa Cruz
Planning Department
October 2013

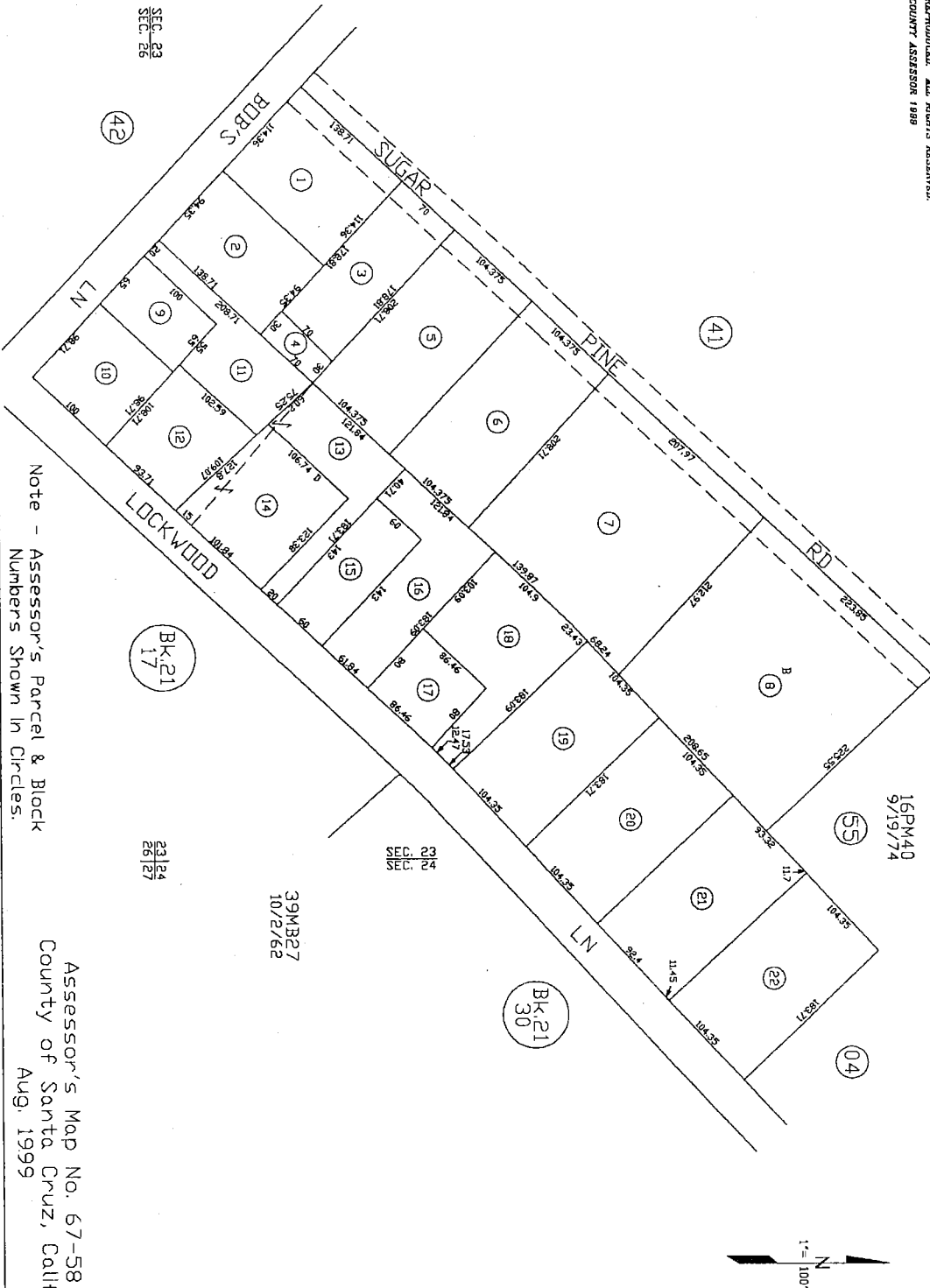
EXHIBIT E

FOR TAX PURPOSES ONLY
 THE ASSessor MAKES NO GUARANTEE AS TO MAP ACTUALLY NOT ASSUMES ANY
 LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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PDR. SAN AUGUSTINE RANCHO
 PDR. SECS. 23, 24, & 26, T.10S., R.2W., M.D.B. & M.

Tax Area Code
 94-016

67-58



Note - Assessor's Parcel & Block
 Numbers Shown in Circles.

Assessor's Map No. 67-58
 County of Santa Cruz, Calif.
 Aug. 1999

TENTATIVE MAP NOTES:

1. REFERENCED TO S. & C. CODE SECTION 1401.208
FORM AND CONTENT FOR TENTATIVE MAPS
- (a) Total Map: Map created by Robert L. DeWitt
(b) Survey of existing parcel: Map created by Robert L. DeWitt
(c) Owner: Robert L. DeWitt
(d) Subdivider: (See zoning) Robert L. DeWitt, Inc.
(e) Engineer: 1807 Ocean Bl., Suite 1
Scotts Valley, CA 95060
Phone: 831-428-0800
Fax: 831-428-0817
(f) Estimated for printing, surveying, and other: \$10,000
(g) Survey: This map is a survey of the land shown on the map.
(h) Approximate dimensions of all lots: As shown on the map.
(i) Existing use of property: Various.
(j) Proposed use: Single family residential (R-1).
(k) Approximate dimensions of all lots: As shown on the map.
(l) Public street: None.
(m) Contour: One spot mapping, sheet P-1.
(n) Typical street cross section: See sheet P-1.
(o) Typical street cross section: See sheet P-1.
(p) Typical street cross section: See sheet P-1.
(q) Typical street cross section: See sheet P-1.
(r) Typical street cross section: See sheet P-1.
(s) Typical street cross section: See sheet P-1.
(t) Typical street cross section: See sheet P-1.
(u) Typical street cross section: See sheet P-1.
(v) Typical street cross section: See sheet P-1.
(w) Typical street cross section: See sheet P-1.
(x) Typical street cross section: See sheet P-1.
(y) Typical street cross section: See sheet P-1.
(z) Typical street cross section: See sheet P-1.
2. DEVELOPMENT CONSTRAINTS:
(a) Zoning: R-1-10. Change from Single-Family Residential to Single-Family Residential (R-1).
(b) Subdivider: Robert L. DeWitt, Inc.
(c) Engineer: Robert L. DeWitt, Inc.
(d) Survey: This map is a survey of the land shown on the map.
(e) Approximate dimensions of all lots: As shown on the map.
(f) Existing use of property: Various.
(g) Proposed use: Single family residential (R-1).
(h) Approximate dimensions of all lots: As shown on the map.
(i) Public street: None.
(j) Contour: One spot mapping, sheet P-1.
(k) Typical street cross section: See sheet P-1.
(l) Typical street cross section: See sheet P-1.
(m) Typical street cross section: See sheet P-1.
(n) Typical street cross section: See sheet P-1.
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(p) Typical street cross section: See sheet P-1.
(q) Typical street cross section: See sheet P-1.
(r) Typical street cross section: See sheet P-1.
(s) Typical street cross section: See sheet P-1.
(t) Typical street cross section: See sheet P-1.
(u) Typical street cross section: See sheet P-1.
(v) Typical street cross section: See sheet P-1.
(w) Typical street cross section: See sheet P-1.
(x) Typical street cross section: See sheet P-1.
(y) Typical street cross section: See sheet P-1.
(z) Typical street cross section: See sheet P-1.
3. PROPERTY DATA:
(a) Zoning: R-1-10. Change from Single-Family Residential to Single-Family Residential (R-1).
(b) Subdivider: Robert L. DeWitt, Inc.
(c) Engineer: Robert L. DeWitt, Inc.
(d) Survey: This map is a survey of the land shown on the map.
(e) Approximate dimensions of all lots: As shown on the map.
(f) Existing use of property: Various.
(g) Proposed use: Single family residential (R-1).
(h) Approximate dimensions of all lots: As shown on the map.
(i) Public street: None.
(j) Contour: One spot mapping, sheet P-1.
(k) Typical street cross section: See sheet P-1.
(l) Typical street cross section: See sheet P-1.
(m) Typical street cross section: See sheet P-1.
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(t) Typical street cross section: See sheet P-1.
(u) Typical street cross section: See sheet P-1.
(v) Typical street cross section: See sheet P-1.
(w) Typical street cross section: See sheet P-1.
(x) Typical street cross section: See sheet P-1.
(y) Typical street cross section: See sheet P-1.
(z) Typical street cross section: See sheet P-1.

LOT AREA SUMMARY:			
PARCEL	GROSS AREA	R/W AREA	NET AREA
EXISTING PARCEL:	43,650 s.f.	-4,159 s.f.	39,491 s.f.
PARCEL A:	19,623 s.f.		19,623 s.f.
PARCEL B:	19,798 s.f.		19,798 s.f.
PARCEL C:		4,159 s.f.	

TENTATIVE MAP

MINOR LAND DIVISION
PREPARED AT THE REQUEST OF:
RICK HOCHLER
A.P.N. 067-581-07
SCOTTS VALLEY, CA.

ROBERT L. DEWITT
DATE: 10-7-13

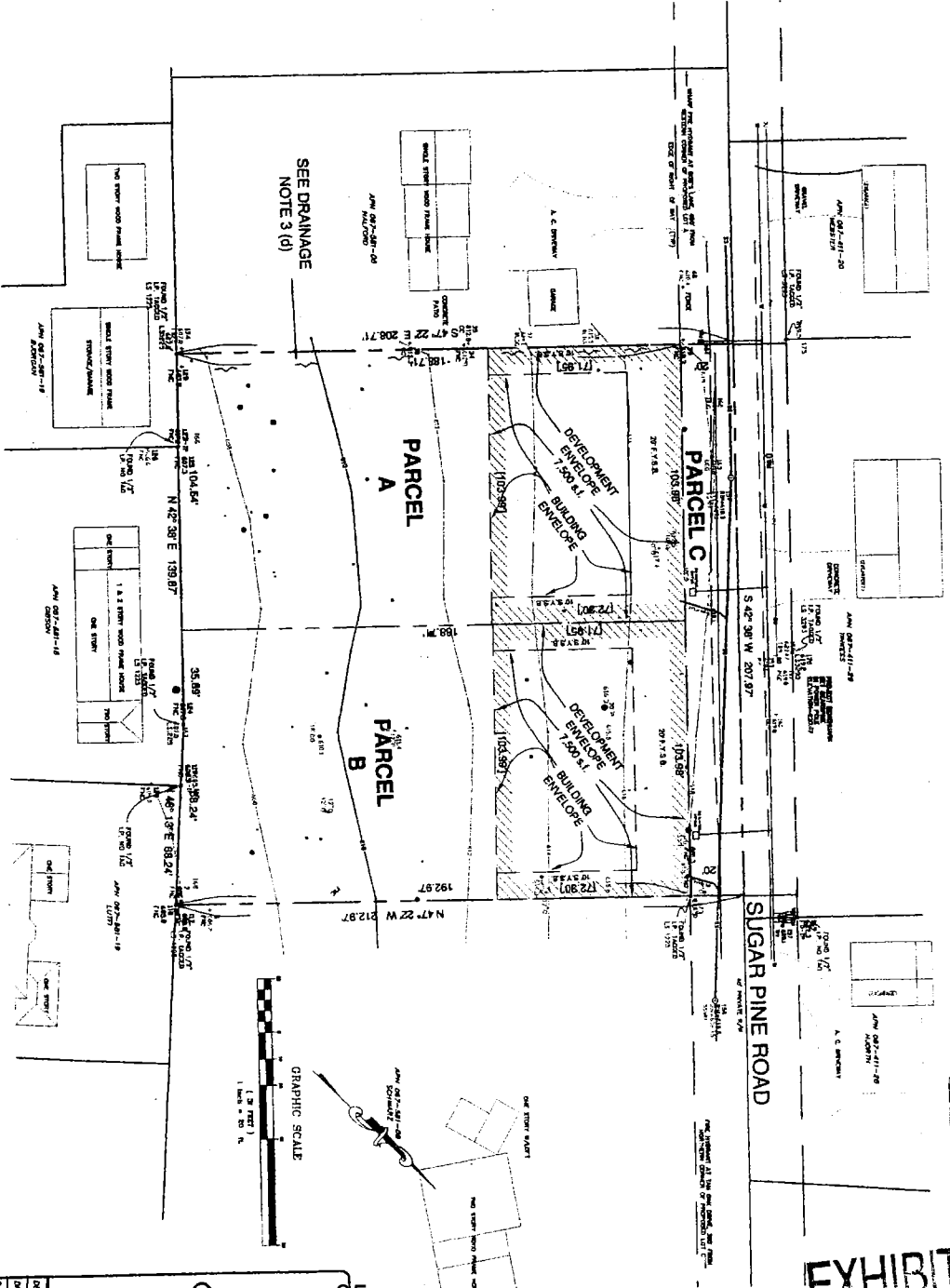


EXHIBIT E



BUTANO GEOTECHNICAL ENGINEERING, INC.

OFFICE: 6 HANGAR WAY, SUITE C, WATSONVILLE, CALIFORNIA 95076

LABORATORY: 2526 HOWE STREET, SANTA CRUZ, CALIFORNIA 95065

PHONE: 831.724.2612

FAX: 831.724.1367

WWW.BUTANOGEOTECH.COM

June 26, 2006

Project No. 06-126-SC

Hochler Construction
325 Canham Road
Scotts Valley, California 95066

ATTN: Rick Hochler

SUBJECT: GEOTECHNICAL INVESTIGATION - DESIGN PHASE

Proposed 3 Lot Minor Land Division
701 Sugar Pine Road, Santa Cruz County, California
APN 067-581-07

REFERENCE: Reynolds Associates, Limited Geotechnical Investigation, APN 067-421-06, Sugarpine Road, Santa Cruz County, California, Dated December 20, 1999, Project No. 993197-S41-G6.

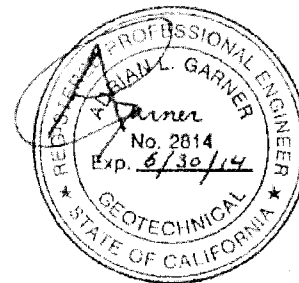
Dear Mr. Hochler:

In accordance with your authorization, we have completed a geotechnical investigation for the subject project. This report summarizes the findings, conclusions, and recommendations from our field exploration, laboratory testing, and engineering analysis. It is a pleasure being associated with you on this project. If you have any questions, or if we may be of further assistance, please do not hesitate to contact our office.

Sincerely,

BUTANO GEOTECHNICAL ENGINEERING, INC.

Adrian L. Garner, PE
Principal Engineer
R.C.E. 66087
Expires 6/30/08



Appendices 1. Appendix A Field Exploration Program
 2. Appendix B Laboratory Testing Program
 3. Appendix C Figures and Standard Details
Distribution: (6) Addressee

1.0 INTRODUCTION

This report presents the results of our geotechnical investigation for the proposed 3 Lot Minor Land Division for the construction of 3 single family residences at 701 Sugar Pine Road in Santa Cruz County, California.

The purpose of our investigation is to provide preliminary geotechnical design parameters and recommendations for development of the site. Conclusions and recommendations related to site grading, drainage, foundations, retaining structures, and pavements are presented herein.

Anticipated construction for the proposed 3 single family residences consists of wood frame walls, and roofs, with raised wood floors founded on conventional shallow foundations with garage concrete slabs-on-grade. Exact wall, column, and foundation loads are unavailable, but are expected to be typical of such construction.

The subject site consists of an undeveloped parcel off of Sugar Pine Road in Santa Cruz County, California.

2.0 SCOPE OF SERVICES

The scope of services provided during the course of our investigation included:

- Review of previous geotechnical, geologic, and seismological reports and maps pertinent to the site.
- Field exploration consisting of logging and interval sampling of 3 borings, drilled to depths between 19.0± feet and 9.0± feet below existing grade.
- Laboratory testing of soil samples considered representative of subsurface conditions.
- Geotechnical engineering analysis and evaluation of the field and laboratory data. Preparation of a report (6 copies) presenting our findings, conclusions, and recommendations.

3.0 SITE DESCRIPTION

3.1 Location

The project site is located on the east side of Highway 9 and west of Highway 17, southwest of Scotts Valley in Santa Cruz County, California. The site location is shown on the Location Map, Appendix A, Figure A-1.

3.2 Surface Conditions

The parcel descends from Sugar Pine Road with a slight slope. The parcel has recently been cleared of brush and now has scattered trees remaining across the site. The surface soils are generally composed of dark grayish brown silty sand. The surface soil was moist and non plastic at the time of our field investigation.

3.3 Subsurface Conditions

The subsurface profile generally consisted of silty sands and poorly graded sands with silt that varied in color, moisture content, and density. The near surface soils were generally very loose to loose increasing in density with depth. The sand was generally fine to medium grained. A consolidation test performed on a relatively undisturbed sample from Boring B-1 at 2 feet, indicated that the soil is moderately compressible and slightly collapsible upon wetting.

Earl E. Brabb, 1989, mapped the area as the Santa Margarita Sandstone. The subsurface soils are consistent with The Geologic Map of Santa Cruz County by Earl E. Brabb, 1989, however the material is highly weathered and exhibits characteristics of soil and not bedrock.

Groundwater was not encountered during our field exploration.

Complete soil profiles are presented on the Boring Logs, Appendix A, Figures A-4 through A-6. The boring locations are shown on the Boring Location Plan, Figure A-2.

4.0 FIELD EXPLORATION PROGRAM

Details of the field exploration, including the Boring Logs, Figures A-4 through A-6, are presented in Appendix A.

5.0 LABORATORY TESTING PROGRAM

Laboratory testing was performed on relatively undisturbed and bulk samples considered representative of subsurface conditions. Details of the laboratory testing program are presented in Appendix B. Test results are presented on the Boring Logs and in Appendix B.

6.0 GEOTECHNICAL HAZARDS

Geotechnical hazards to man made structures may include ground shaking, ground rupture, landsliding, liquefaction, lateral spreading, and differential compaction. Ground shaking caused by earthquakes is a complex phenomenon. Structural damage can result from the transmission of earthquake vibrations from the ground into the structure. The intensity of shaking depends on, amongst other items, the proximity of the site to the focal point of the earthquake and the subsurface profile. The structure must be designed in accordance with the applicable seismic design parameters outlined in the 2001 California Building Code. See Table 1.

Table 1. Seismic Design Parameters

Soil Profile Type	Seismic Zone Z	Seismic	Coefficient	Near Source	Factor	Seismic Source Type
		C_a	C_v	N_a	N_v	
S_C	0.4	$0.40 N_a$	$0.56 N_v$	1.0	1.1	A

Liquefaction, lateral spreading and differential compaction tend to occur in loose, unconsolidated, noncohesive soils with shallow groundwater. Groundwater was not encountered during our field investigation. Due to the lack of shallow groundwater, it is our opinion that the potential for these hazards to occur is low.

The subject site has no appreciable vertical relief therefore landsliding is not anticipated to affect the site.

7.0 DISCUSSIONS AND CONCLUSIONS

The site is generally underlain by silty sands and poorly graded sands with silt that vary from very loose to dense, however are generally very loose to loose in the upper 5+ feet. The near surface silty sands should be considered to be highly erodible.

Groundwater was not encountered during the course of our field exploration.

The results of our laboratory testing indicate that the near surface soils that are anticipated to affect the project are moderately compressible and slightly collapsible upon wetting.

8.0 RECOMMENDATIONS

8.1 General

Based on the results of our investigation, it is our opinion that from the geotechnical standpoint, the subject site will be suitable for the proposed development provided the recommendations presented herein are implemented during grading and construction.

Based on the results of our field exploration, laboratory testing, and engineering analysis, it is our opinion that the site will be suitable to found the proposed single family residences on conventional shallow foundation systems.

To help alleviate the potential for differential settlement due to the moderately compressible and slightly collapsible near surface silty sands beneath conventional shallow foundations, concrete slabs-on-grade, drive areas, and new fills, site preparation consisting of overexcavation and recompaction will be required. See Subsection 8.2.2 for earthwork recommendations.

To help alleviate the potential for surface water, and/or irrigation water to migrate beneath the proposed residences, and to alleviate the potential for erosion of the near surface soils to adversely affect the foundation systems, we recommend that the exterior footings be founded a minimum of 24 inches below finished grade.

The final Grading Plans, Foundation Plans and design loads should be reviewed by this office during their preparation, prior to contract bidding.

The design recommendations of this report must be reviewed during the grading phase when subsurface conditions in the excavations become exposed.

Field observation and testing must be provided by a representative of Butano Geotechnical Engineering, Inc. to enable them to form an opinion regarding the adequacy of the site preparation, the adequacy of fill materials, and the extent to which the earthwork is performed in accordance with the geotechnical conditions present, the requirements of the regulating agencies, the project specifications, and the recommendations presented in this report. Any earthwork performed in connection with the subject project without the full knowledge of, and not under the direct observation of Butano Geotechnical Engineering, Inc., will render the recommendations of this report invalid.

Butano Geotechnical Engineering, Inc. should be notified **at least 5 working days** prior to any site clearing or other earthwork operations on the subject project in order to observe the stripping and disposal of unsuitable materials and to ensure coordination with the grading contractor. During this period, a preconstruction meeting should be held on the site to discuss project specifications, observation and testing requirements and responsibilities, and scheduling.

8.2 Site Grading

8.2.1 Site Clearing

Prior to grading, the areas to be developed for structures, pavements and other improvements, should be stripped of any vegetation and cleared of any surface or subsurface obstructions, including any existing foundations, utility lines, basements, septic tanks, pavements, stockpiled fills, and miscellaneous debris.

Surface vegetation and organically contaminated topsoil should be removed from areas to be graded. The required depth of stripping will vary with the time of year the work is done and must be observed by the Geotechnical Engineer. It is generally anticipated that the required depth of stripping will be 6 to 12 inches.

Note: If this work is done during or soon after the rainy season, or in the spring, the soil may be too wet to be used as engineered fill.

Holes resulting from the removal of buried obstructions that extend below finished site grades should be backfilled with compacted engineered fill compacted to the requirements of Subsection 8.2.2.

8.2.2 Preparation of On-Site Soils

The results of our field investigation and laboratory testing indicate that the near-surface soils on the subject site are moderately compressible and slightly collapsible upon wetting. In order to ensure uniform compression characteristics and to obviate the potential for differential settlements, site preparation, consisting of overexcavation and recompaction will be required prior to placement of conventional shallow foundations, concrete slabs-on-grade, drive areas, and new fills. The depths of overexcavation and recompaction recommended herein are subject to review during grading.

For conventional shallow foundations (including site retaining walls) the native soil should be overexcavated a minimum of 1 foot below the bottom of the footing, or 1.5 feet below existing grade, whichever is greater. The exposed surface should then be scarified, moisture conditioned, and compacted to a minimum of 90 percent relative compaction. The material which was removed should then be replaced as engineered fill compacted to a minimum of 90 percent relative compaction. This zone of reworking shall extend a minimum of 3 feet laterally beyond the conventional shallow foundation footprint.

For concrete slabs-on-grade the native soil should be overexcavated a minimum of 1 foot below the bottom of the capillary break, or 1.5 feet below existing grade, whichever is greater. The exposed surface should then be scarified, moisture conditioned, and compacted to a minimum of 90 percent relative compaction. The material which was removed should then be replaced as engineered fill compacted to a minimum of 90 percent relative compaction. This zone of reworking shall extend a minimum of 3 feet laterally beyond the concrete slabs-on-grade.

In drive areas (including concrete, asphalt, and pavers) the native soil should be overexcavated to a minimum of 1 foot below the bottom of the aggregate base course, or 1.5 feet below existing grade, whichever is greater. The exposed surface should then be scarified, moisture conditioned, and compacted to a minimum of 90 percent relative compaction. The material which was removed should then be replaced as engineered fill compacted to a minimum of 90 percent relative compaction. The upper 6 inches of subgrade and all aggregate base and subbase in drive areas shall be compacted to achieve a minimum relative compaction of 95 percent. This zone of reworking should extend laterally a minimum of 2 feet beyond the drive areas.

Beneath new fills, the native soil should be removed to a minimum of 1.5 feet below existing grade. The exposed surface should then be scarified, moisture conditioned, and compacted to a minimum of 90 percent relative compaction. The material which was removed should then be replaced as engineered fill compacted to a minimum of 90 percent relative compaction.

All fill should be compacted with heavy vibratory equipment. Fill should be compacted by mechanical means in uniform horizontal loose lifts not exceeding 8 inches in thickness. The relative compaction and required moisture content shall be based on the maximum dry density and optimum moisture content obtained in accordance with ASTM D1557.

The on-site soils may be used as compacted fill. The material should be verified by a representative of Butano Geotechnical Engineering, Inc. in the field during grading operations. All soils, both existing on-site and imported, to be used as fill, should contain less than 3 percent organics and be free of debris and cobbles over 2.5 inches in maximum dimension.

Imported fill material should be approved by the a representative of Butano Geotechnical Engineering, Inc. prior to importing. Soils having a significant expansion potential should not be used as imported fill. **The Geotechnical Engineer should be notified not less than 5 working days in advance of placing any fill or base course material proposed for import.** Each proposed source of import material should be sampled, tested and approved by the Geotechnical Engineer prior to delivery of any soils imported for use on the site.

Settlements may need to be evaluated should the planned grades result in the ground surface being raised $3\pm$ or more feet above the existing grades. Should this occur, some additional reworking of existing materials may be required.

Due to the fact that the depth of reworking will be dependent on the foundation and pavement grades, etc., our office should be provided with a copy of the final, approved plans prior to the commencement of earthwork operations.

The depths of overexcavation should be reviewed by the Geotechnical Engineer during the actual construction. Any surface or subsurface obstruction, or questionable material encountered during grading, should be brought immediately to the attention of the Geotechnical Engineer for proper processing as required.

8.2.3 Cut and Fill Slopes

Cut and Fill slopes are not anticipated for the project at this time. Cut and fill slopes should be analyzed for overall stability and suitability by the Geotechnical Engineer if project requirements change.

8.2.4 Utility Trenches

Bedding material should consist of sand with SE not less than 30 which may then be jetted.

The on-site native soils may be utilized for trench backfill. Imported fill should be free of organic material and rocks over 2.5 inches in diameter.

If sand is used, a 3 foot concrete plug should be placed in each trench where it passes under the exterior footings.

A 4 inch diameter Schedule 40 PVC perforated pipe may be placed below the utilities within the trenches. The perforated pipe should be enveloped in drain fabric consisting of, **Mirafi Filterweave 300** or approved equivalent. The perforated pipe should connect to a closed conduit and outlet to an approved location.

Backfill of all exterior and interior trenches should be placed in thin lifts and mechanically compacted to achieve a relative compaction of not less than 95 percent in paved areas and 90 percent in other areas per ASTM D1557. Care should be taken not to damage utility lines.

Utility trenches that are parallel to the sides of a building should be placed so that they do not extend below a line sloping down and away at an inclination of 2 horizontal to 1 vertical from the bottom outside edge of all footings.

Trenches should be capped with $1.5\pm$ feet of impermeable material. Import material must be approved by the Geotechnical Engineer prior to its use.

Trenches must be shored as required by the local regulatory agency, the State Of California Division of Industrial Safety Construction Safety Orders, and Federal OSHA requirements.

8.2.5 Excavating Conditions

We anticipate that excavation of the on-site soils may be accomplished with standard earthmoving and trenching equipment.

8.2.6 Surface Drainage

Pad drainage should be designed to collect and direct surface water away from structures to approved drainage facilities. A minimum gradient of $2\pm$ percent should be maintained and drainage should be directed toward approved swales or drainage facilities. Concentrations of surface water runoff should be handled by providing the necessary structures, paved ditches, catch basins, etc.

Drainage patterns approved at the time of construction should be maintained throughout the life of the structures. The building and surface drainage facilities must not be altered nor any grading, filling, or excavation conducted in the area without prior review by the Geotechnical Engineer.

All roof eaves should be guttered with the outlets from the downspouts provided with adequate capacity to carry the storm water away from the structure to reduce the possibility of soil saturation and erosion. The connection should be to a closed conduit which discharges at an approved location away from the structure and the graded area.

Irrigation activities at the site should be controlled and reasonable. Planter areas should not be sited adjacent to walls without implementing approved measures to contain irrigation water and prevent it from seeping into walls and under foundations and slabs-on-grade.

The surface soils are classified as highly erodible. Therefore, the finished ground surface should be planted with erosion resistant landscaping and ground cover and continually maintained to minimize surface erosion.

8.3 Foundations

8.3.1 General

Based on the results of our field exploration, laboratory testing, and engineering analysis, it is our opinion that the site will be suitable for the support of the proposed residences on conventional shallow foundation systems. We recommend that conventional shallow foundations be founded on compacted engineered fill per the recommendations in Subsection 8.2.2.

To help alleviate the potential for surface water, and/or irrigation water to migrate beneath the proposed residences, and to alleviate the potential for erosion of the near surface soils to adversely affect the foundation systems, we recommend that the exterior footings be founded a minimum of 24 inches below finished grade.

We recommend that site retaining walls (if required) be founded on conventional shallow foundation systems.

We recommend that concrete slabs-on-grade be founded on compacted engineered fill per the recommendations in Subsection 8.2.2.

At the time we prepared this report, the grading plans and foundation details had not been finalized. We request an opportunity to review these items during the design stages to determine if supplemental recommendations will be required.

8.3.2 Conventional Shallow Foundations

We recommend that conventional shallow foundations be founded on compacted engineered fill per the recommendations in Subsection 8.2.2.

Footing widths should be based on the allowable bearing value. The minimum recommended depth of embedment is 24 inches. Embedment depths should not be allowed to be affected adversely, such as through erosion, softening, digging, etc.. Should local building codes require deeper embedment of the footings or wider footings, the codes must apply.

The allowable bearing capacity used should not exceed 3000 psf. The allowable bearing capacity may be increased by one-third in the case of short duration loads, such as those induced by wind or seismic forces. In the event that footings are founded in structural fill consisting of imported materials, the allowable bearing capacities will depend on the type of these materials and should be re-evaluated.

Footing excavations must be checked by the Geotechnical Engineer before steel is placed and concrete is poured.

No footing should be placed closer than 8 feet to the top of a fill slope nor 6 feet from the base of a cut slope.

8.3.3 Concrete Slabs-on-Grade

We recommend that concrete slab-on-grade be founded on compacted engineered fill per Subsection 8.2.2. The subgrade should be proof-rolled just prior to construction to provide a firm, relatively unyielding surface, especially if the surface has been loosened by the passage of construction traffic.

An allowable soil bearing capacity of 3000 psf may be used for design purposes. In the event that the concrete slab-on-grade is founded in structural fill consisting of imported materials, the allowable bearing capacities will depend on the type of these materials and should be re-evaluated.

The concrete slab-on-grade should be underlain by a minimum 4 inch thick capillary break of clean crushed rock. It is recommended that neither Class II baserock nor sand be employed as the capillary break material.

Where moisture sensitive floor coverings are anticipated or vapor transmission may be a problem, a 10 mil waterproof membrane should be placed between the granular layer and the floor slab in order to reduce moisture condensation under the floor coverings. Place a 2 inch layer of moist sand on top of the membrane. This will help protect the membrane and will assist in equalizing the curing rate of the concrete.

8.3.4 Settlements

Total and differential settlements beneath conventional shallow foundations, and concrete slabs-on-grade are expected to be within tolerable limits. Vertical movements are not expected to exceed 1 inch. Differential movements are expected to be within the normal range ($\frac{1}{2}$ inch) for the anticipated loads and spacings. These preliminary estimates should be reviewed by the Geotechnical Engineer when foundation plans for the proposed structures become available.

8.4 Retaining Structures

8.4.1 Lateral Earth Pressures

The lateral earth pressures presented in Table 2 are recommended for the design of retaining structures with a gravel blanket and backfill soils of expansivity not higher than Medium.

Table 2. Lateral Earth Pressures

Soil Profile (H:V)	Equivalent Fluid Pressure (psf/ft)		
	Active Pressure	Passive Pressure	At-Rest Pressure
Level	45	290	77
6:1	60	260	90
3:1	75	190	102

Friction coefficient - 0.4, between soil and rough concrete. Where both friction and the passive resistance are utilized for sliding resistance, either of the values indicated should be reduced by one-third.

Pressure due to any surcharge loads from adjacent footings, traffic, etc., should be analyzed separately. Pressures due to these loading can be supplied upon receipt of the appropriate plans and loads. Refer to Appendix C, Figure C-1.

8.4.2 Backfill

Backfill should be placed under engineering control. Backfill should be compacted per Subsection 8.2.2, however, precautions should be taken to ensure that heavy compaction equipment is not used immediately adjacent to walls, so as to prevent undue pressures against, and movement of, the walls.

It is recommended that granular, or relatively low expansivity, backfill be utilized, for a width equal to approximately $\frac{1}{3}$ times the wall height, and not less than 1.5 feet, subject to review during construction.

The granular backfill should be capped with at least 12 inches of relatively impermeable material.

The use of water-stops/impermeable barriers and appropriate waterproofing should be considered for any basement construction, and for building walls which retain earth.

8.4.3 Backfill Drainage and Subdrain Design

Backdrains should be provided in the backfill, or weepholes/weepslits should be provided in retaining walls. (It is recommended that backdrains be provided for walls over 4± feet high, for retaining walls which form part of a building structure, and where any staining or efflorescence due to dripping from weepholes/weepslits would be aesthetically unacceptable.)

Backdrains/subdrains should consist of 4 inch diameter Schedule 40, PVC pipe or equivalent, embedded in 3/8 inch to 3/4 inch, clean crushed gravel, enveloped in **Mirafi Filterweave 300** or approved equivalent. The drain should be a minimum of 18 inches in thickness and should extend to within 12 inches from the surface. The upper 12 inches should be capped with relatively impermeable material. The pipe should be 4± inches above the trench bottom; a gradient of 1± percent being provided to the pipe and trench bottom; discharging into suitably protected outlets. See Appendix C, Figure C-2 for the standard detail for the backdrain and Figure C-3 for the standard detail for the subdrain.

Perforations in backdrains/subdrains are recommended as follows: 3/8 inch diameter, in 2 rows at the ends of a 120 degree arc, at 3 inch centers in each row, staggered between rows, placed downward. An unobstructed outlet should be provided at the lower end of each segment of backdrain/subdrain. The outlet should consist of an unperforated pipe of the same diameter, connected to the perforated pipe and extended to a protected outlet at a lower elevation on a continuous gradient of at least 1 percent.

Backdrains/subdrains should be approved by the Geotechnical Engineer after placement of bedding and pipe and prior to the placement of clean crushed gravel.

9.0 LIMITATIONS

Our investigation was performed in accordance with the usual and current standards of the profession, as they relate to this and similar localities. No other warranty, expressed or implied, is provided as to the conclusions and professional advice presented in this report.

The samples taken and tested, and the observations made, are considered to be representative of the site; however, soil and geologic conditions can vary significantly between sample locations.

As in most projects, conditions revealed during construction excavation may be at variance with preliminary findings. If this occurs, the changed conditions must be evaluated by the Project Geotechnical Engineer and the Geologist, and revised recommendations be provided as required.

This report is issued with the understanding that it is the responsibility of the Owner, or of his Representative, to ensure that the information and recommendations contained herein are brought to the attention of the Architect and Engineer for the project and incorporated into the plans, and that it is ensured that the Contractor and Subcontractors implement such recommendations in the field.

This firm does not practice or consult in the field of safety engineering. We do not direct the Contractor's operations, and we are not responsible for other than our own personnel on the site; therefore, the safety of others is the responsibility of the Contractor. The Contractor should notify the Owner if he considers any of the recommended actions presented herein to be unsafe.

The findings of this report are considered valid as of the present date. However, changes in the conditions of a site can occur with the passage of time, whether they be due to natural events or to human activities on this or adjacent sites. In addition, changes in applicable or appropriate codes and standards may occur, whether they result from legislation or the broadening of knowledge.

Accordingly, this report may become invalidated wholly or partially by changes outside our control. Therefore, this report is subject to review and revision as changed conditions are identified.

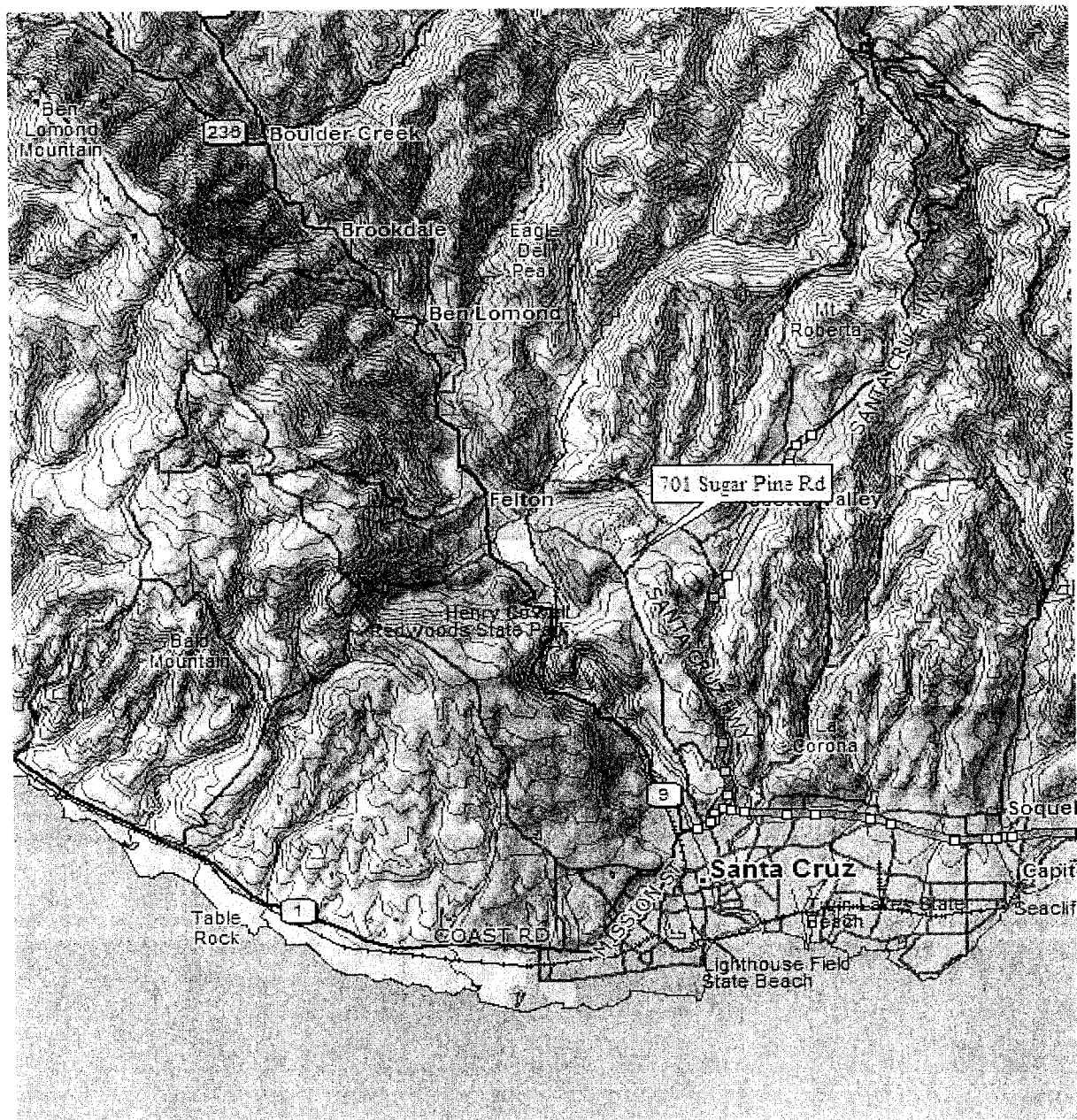
APPENDIX A

FIELD EXPLORATION PROGRAM

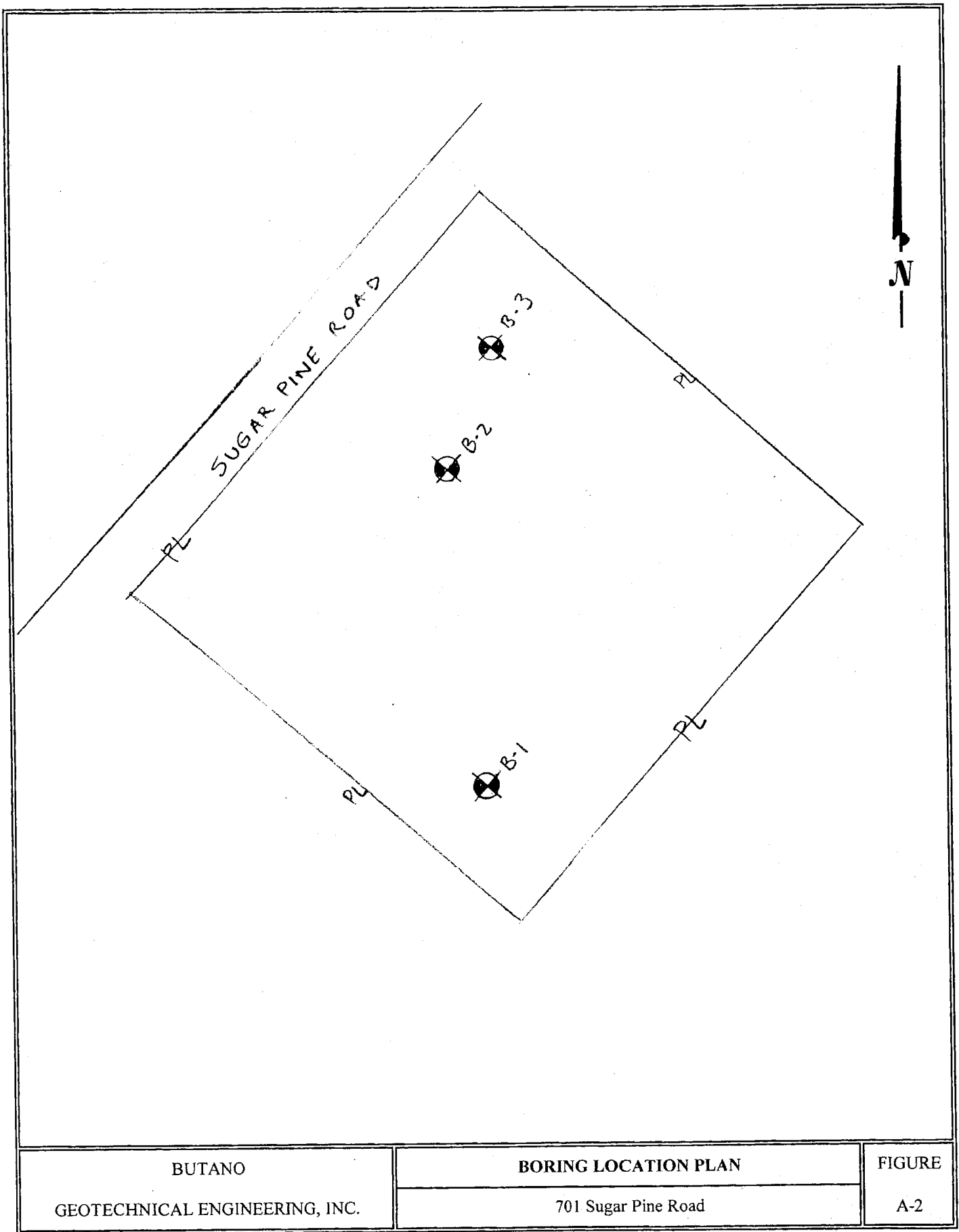
A-1.	Field Exploration Procedures	Page A-1
A-2.	Site Location Plan	Figure A-1
A-3.	Boring Location Plan	Figure A-2
A-4.	Key to Logs	Figure A-3
A-5.	Logs of the Borings	Figures A-4 through A-6

FIELD EXPLORATION PROCEDURES

- A-1. Subsurface conditions were explored by drilling 3 borings to depths between 19.0± and 9.0± feet below the existing grade. The borings were drilled with a truck mounted drill rig equipped with 4 inch diameter solid stem augers. The Key to The Logs and the Logs of the Borings are included in Appendix A, Figures A-3 through A-6. The approximate location of the borings are shown on the Boring Location Plan, Figure A-2.
- A-2. The drill holes were located in the field by pacing from known landmarks. Their locations as shown are therefore within the accuracy of such measurement.
- A-3. The soils encountered in the borings were continuously logged in the field by a representative of Butano Geotechnical Engineering, Inc. Bulk and relatively undisturbed soil samples for identification and laboratory testing were obtained in the field. These soils were classified based on field observations and laboratory tests. The classification is in accordance with the Unified Soil Classification System (Figure A-3).
- A-4. Representative soil samples were obtained by means of a drive sampler, the hammer weight and drop being 140 lb and 30 inches, respectively. These samples were recovered using a 3 inch outside diameter Modified California Sampler or a 2 inch outside diameter Terzaghi Sampler. The number of blows required to drive the samplers 12 inches are indicated on the Boring Logs. The penetration test data has been normalized to a 2 inch outside diameter sampler and presented as N_{60} values. The N_{60} values are also indicated on the Boring Logs.
- A-5. Groundwater was not encountered during our field investigation.
- A-6. The borings were backfilled with the cuttings.



<p>BUTANO</p> <p>GEOTECHNICAL ENGINEERING, INC.</p>	<p>SITE LOCATION PLAN</p> <p>701 Sugar Pine Road</p>	<p>FIGURE</p> <p>A-1</p>
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KEY TO LOGS

UNIFIED SOIL CLASSIFICATION SYSTEM

PRIMARY DIVISIONS			GROUP SYMBOL	SECONDARY DIVISIONS
COARSE GRAINED SOILS More than half of the material is larger than the No. 200 sieve	GRAVELS More than half of the coarse fraction is larger than the No. 4 sieve	CLEAN GRAVELS (Less than 5% fines)	GW	Well graded gravels, gravel-sand mixtures, little or no fines
			GP	Poorly graded gravels, gravel-sand mixtures, little or no fines
		GRAVEL WITH FINES	GM	Silty gravels, gravel-sand-silt mixtures, non-plastic fines
			GC	Clayey gravels, gravel-sand-clay mixtures, plastic fines
	SANDS More than half of the coarse fraction is smaller than the No. 4 sieve	CLEAN SANDS (Less than 5% fines)	SW	Well graded sands, gravelly sands, little or no fines
			SP	Poorly graded sands, gravelly sands, little or no fines
		SAND WITH FINES	SM	Silty sands, sand-silt mixtures, non-plastic fines
			SC	Clayey sands, sand-clay mixtures, plastic fines
FINE GRAINED SOILS More than half of the material is smaller than the No. 200 sieve	SILTS AND CLAYS Liquid limit less than 50		ML	Inorganic silts and very fine sands, silty or clayey fine sands or clayey silts with slight plasticity
			CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays
			OL	Organic silts and organic silty clays of low plasticity
	SILTS AND CLAYS Liquid limit greater than 50		MH	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts
			CH	Inorganic clays of high plasticity, fat clays
			OH	Organic clays of medium to high plasticity, organic silts
HIGHLY ORGANIC SOILS			Pt	Peat and other highly organic soils

GRAIN SIZE LIMITS

SILT AND CLAY	SAND			GRAVEL		COBBLES	BOULDERS
	FINE	MEDIUM	COARSE	FINE	COARSE		
	No. 200	No. 40	No. 10	No. 4	3/4 in.	3 in.	12 in.
US STANDARD SIEVE SIZE							

RELATIVE DENSITY

SAND AND GRAVEL	BLOWS/FT*
VERY LOOSE	0 - 4
LOOSE	4 - 10
MEDIUM DENSE	10 - 30
DENSE	30 - 50
VERY DENSE	OVER 50

CONSISTENCY

SILT AND CLAY	BLOWS/FT*
VERY SOFT	0 - 2
SOFT	2 - 4
FIRM	4 - 8
STIFF	8 - 16
VERY STIFF	16 - 32
HARD	OVER 32

MOISTURE CONDITION

DRY
MOIST
WET

* Number of blows of 140 pound hammer falling 30 inches to drive a 2 inch O.D. (1 3/8 inch I.D.) split spoon (ASTM D-1586).

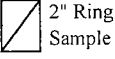
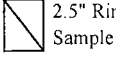









BUTANO GEOTECHNICAL ENGINEERING, INC.

FIGURE

A-3

LOG OF EXPLORATORY BORING

Project No.: 06-126-SC	Boring: B1
Project: 701 Sugar Pine Road Santa Cruz County, California	Location: Southwest Side of Property
Date: May 30, 2006	Elevation:
Logged By: ALG	Method of Drilling: Truck Mounted Drill Rig, 4in. Solid Stem Auger, 140lb. Safety Hammer

Depth (ft.)	Soil Type	Undisturbed	Bulk	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  2" Ring Sample </div> <div style="text-align: center;">  2.5" Ring Sample </div> <div style="text-align: center;">  Bulk Sample </div> </div>	Blows / Foot	N ₆₀	Dry Density (pcf)	Moisture Content (%)	Direct Shear		Other Tests
				Description					c (psf)	φ °	
	SM			Very Dark Gray Silty SAND. Moist, Non Plastic.							
5	SM			Very Dark Grayish Brown Silty SAND. Very Loose, to Loose, Moist, Non Plastic. Sand - Fine to Medium Grained.	11 10	4 7	103.9 8.2	7.5	360	23	Consol
10	SM			Brown Silty SAND. Loose, Moist, Non Plastic. Sand - Fine Grained to Medium Grained.	26	10	103.5	6.7			
15	SM			Dark Yellowish Brown Silty SAND. Medium Dense, Moist, Non Plastic. Sand - Fine Grained to Medium Grained.	14	12		6.7			
	SP-SM			Light Gray Silty SAND to Poorly Graded SAND w/ Silt. Dense, Moist, Non Plastic. Sand - Fine Grained to Medium Grained.	34	38		9.5			
20				Boring Terminated @ 19.0± ft. Groundwater Not Encountered. Boring Backfilled With Cuttings.							
25											
30											
35											

BUTANO GEOTECHNICAL ENGINEERING, INC.

FIGURE
A-4

LOG OF EXPLORATORY BORING

Project No.: 06-126-SC	Boring: B2	
Project: 701 Sugar Pine Road	Location: Center of Property	
Santa Cruz County, California	Elevation:	
Date: May 30, 2006	Method of Drilling: Truck Mounted Drill Rig, 4in. Solid Stem	
Logged By: ALG	Auger, 140lb. Safety Hammer	

Depth (ft.)	Soil Type	Undisturbed	Bulk	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> 2" Ring Sample </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> 2.5" Ring Sample </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Bulk Sample </div> </div>	Blows / Foot	N ₆₀	Dry Density (pcf)	Moisture Content (%)	Direct Shear		Other Tests
				Description					c (psf)	φ °	
5	SM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Very Dark Grayish Brown Silty SAND. Very Loose, Moist, Non Plastic. Sand - Fine Grained to Medium Grained.	13	4	100.9	5.9			
	SM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Very Dark Grayish Brown Silty SAND. Loose, Moist, Non Plastic. Sand - Fine to Medium Grained.	10	7		5.6			
	SP-SM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Brown Poorly Graded SAND w/ Silt. Loose, Moist, Non Plastic. Sand - Fine Grained to Medium Grained.	13	10		7.2			
10	SM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Brown Silty SAND. Loose, Moist, Non Plastic. Sand - Fine Grained to Medium Grained.	24	9	101.9	8.4			
15	SP-SM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yellowish Brown Poorly Graded SAND w/ Silt. Medium Dense, Moist, Non Plastic. Sand - Fine Grained to Medium Grained.	20	20		6.0			
20				Boring Terminated @ 16.5± ft. Groundwater Not Encountered. Boring Backfilled With Cuttings.							
25											
30											
35											

BUTANO GEOTECHNICAL ENGINEERING, INC.

FIGURE
A-5

LOG OF EXPLORATORY BORING

Project No.: 06-126-SC Boring: B3
 Project: 701 Sugar Pine Road Location: Northeast Corner of Property
 Santa Cruz County, California Elevation:
 Date: May 30, 2006 Method of Drilling: Truck Mounted Drill Rig, 4in. Solid Stem
 Logged By: ALG Auger, 140lb. Safety Hammer

Depth (ft.)	Soil Type	Undisturbed	Bulk	<input checked="" type="checkbox"/> 2" Ring Sample <input type="checkbox"/> 2.5" Ring Sample <input checked="" type="checkbox"/> Bulk Sample	Blows / Foot	N ₆₀	Dry Density (pcf)	Moisture Content (%)	Direct Shear		Other Tests
				<input type="checkbox"/> Terzaghi Split Spoon Sample <input type="checkbox"/> Static Water Table					c (psf)	φ °	
				Description							
	SM			Dark Grayish Brown Silty SAND. Moist, Non Plastic.							
5	SP-SM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Brown Silty SAND to Poorly Graded SAND w/ Silt. Very Loose, Moist, Non Plastic. Sand - Fine Grained to Medium Grained.	5	3		5.2			
	SM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Brown Silty SAND. Loose, Moist, Non Plastic.	14	5	99.6	5.5			
	SP-SM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yellowish Brown Poorly Graded SAND w/ Silt. Loose, Moist, Non Plastic. Sand - Fine Grained to Medium Grained.	25	9	100.2	5.7			
10				Boring Terminated @ 9.0± ft. Groundwater Not Encountered. Boring Backfilled With Cuttings.							
15											
20											
25											
30											
35											
BUTANO GEOTECHNICAL ENGINEERING, INC.										FIGURE A-6	

APPENDIX B

LABORATORY TESTING PROGRAM

- | | | |
|------|-------------------------------|------------|
| B-1. | Laboratory Testing Procedures | Page B-1 |
| B-2. | Direct Shear Test Results | Figure B-1 |
| B-3. | Consolidation Test Results | Figure B-2 |

LABORATORY TESTING PROCEDURES

B-1. Classification

Soils were classified according to the Unified Soil Classification System in accordance with ASTM D 2487 and D 2488. Moisture content and dry density determinations were made for representative, relatively undisturbed samples in accordance with ASTM D 2216. Results of moisture-density determinations, together with classifications, are shown on the Boring Logs, Figures A-4 through A-6.

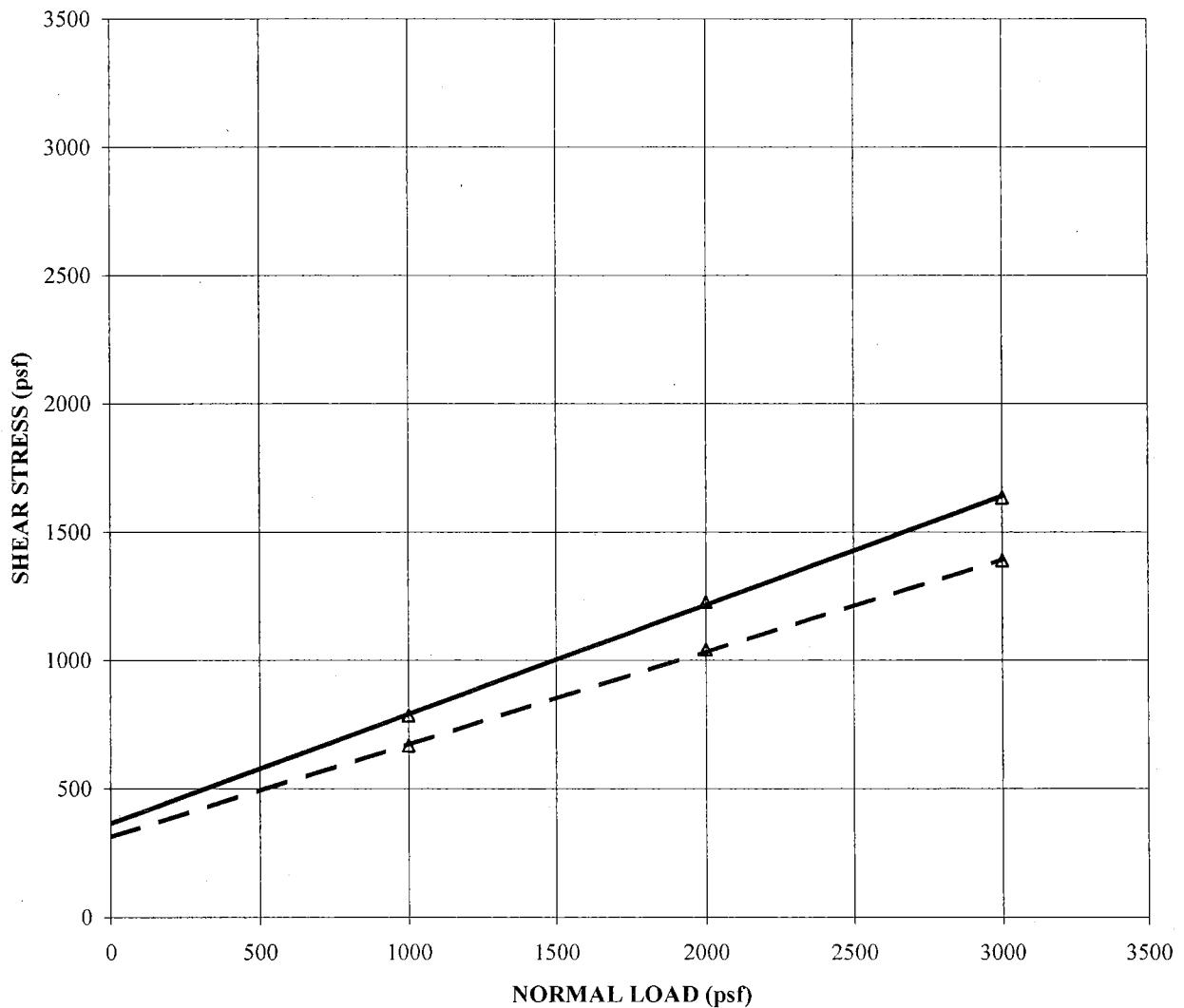
B-2. Direct Shear

Direct shear strength tests were performed on representative, relatively undisturbed samples of the on-site soils. To simulate possible adverse field conditions the samples were saturated prior to shearing. A saturating device was used which permitted the samples to absorb moisture while preventing volume change. The direct shear test results are presented on the Boring logs, Figures A-4 through A-6 and on Figure B-1.

B-3. Consolidation

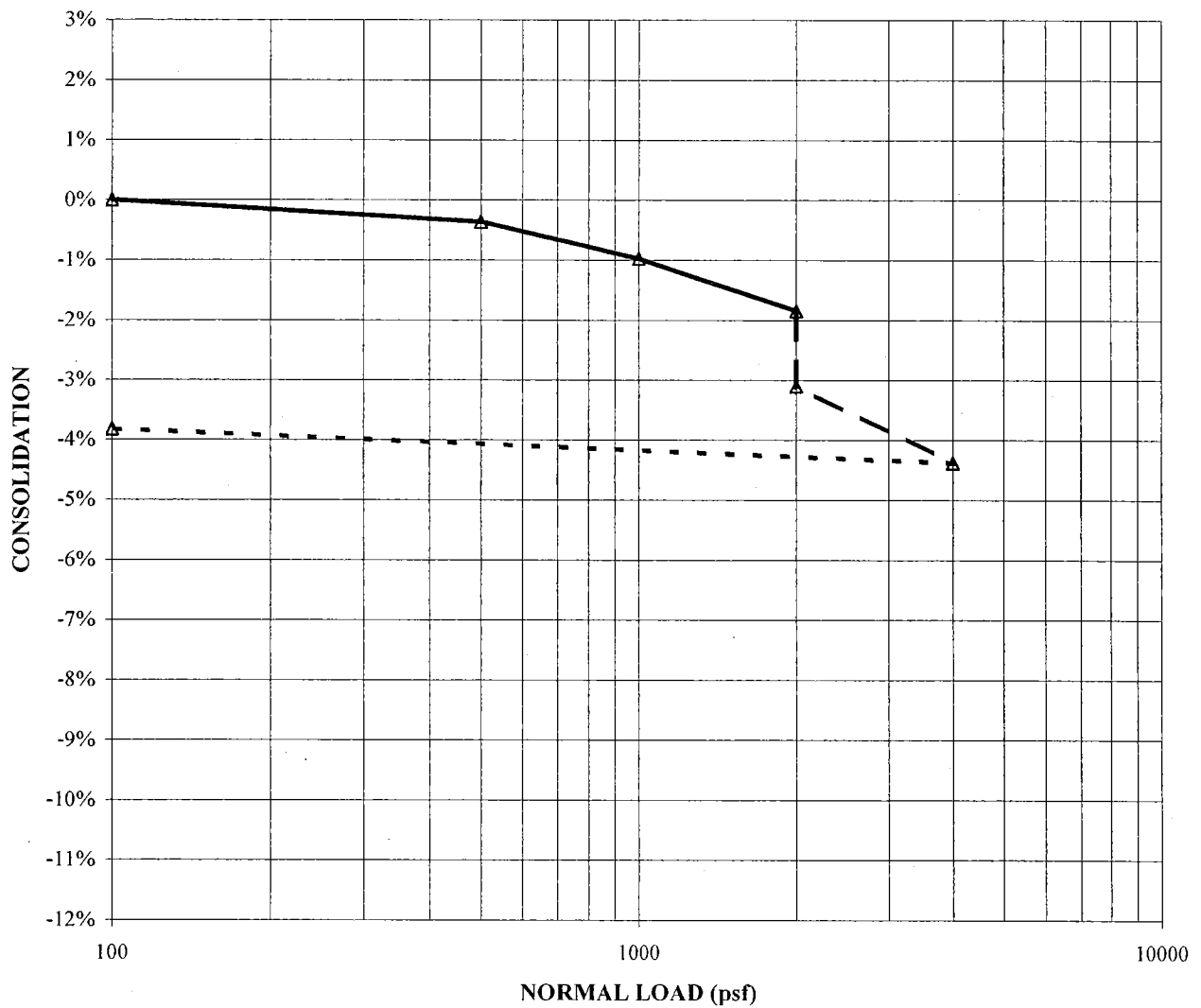
Consolidation tests were performed on representative, relatively undisturbed samples of the underlying soils to determine compressibility characteristics. The samples were saturated during the tests to simulate possible adverse field conditions. The test results are presented on Figure B-2.

BORING:	B1	<div> <div>PEAK</div> <div>RESIDUAL</div> </div>	COHESION (psf)	FRICTION ANGLE
DEPTH (ft):	2.0		360	23
SOIL TYPE (USCS):	SM		310	20
TEST SAMPLE TYPE:		FIELD MOISTURE:	7.5%	
IN-SITU (SATURATED)		SATURATED MOIST:		



BUTANO GEOTECHNICAL ENGINEERING, INC.	DIRECT SHEAR TEST RESULTS	FIGURE B-1
	701 Sugar Pine Road	

BORING:	B1	<div> <div>—————</div>FIELD MOISTURE </div>	
DEPTH (ft):	2.0	<div> <div>- - - - -</div>SATURATED </div>	
SOIL TYPE (USCS):	SM	<div> <div>.....</div>REBOUND </div>	
SEATING WEIGHT:	125 psf	FIELD MOISTURE:	7.5%
		SATURATED MOIST:	



BUTANO GEOTECHNICAL ENGINEERING, INC.	CONSOLIDATION TEST RESULTS	FIGURE B-2
	710 Sugar Pine Road	



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

TOM BURNS, PLANNING DIRECTOR

September 12, 2006

Rick Hochler
325 Canham Road
Scotts Valley, CA, 95066

Subject: Review of Geotechnical Investigation by Butano Geotechnical Engineering
Dated June 26, 2006; Project #: 06-126-SC
APN 067-581-07, Application #: 06-0450

Dear Applicant:

The purpose of this letter is to inform you that the Planning Department has accepted the subject report and the following items shall be required:

1. All construction shall comply with the recommendations of the report.
2. Final plans shall reference the report and include a statement that the project shall conform to the report's recommendations.
3. Prior to building permit issuance a *plan review letter* shall be submitted to Environmental Planning. The author of the report shall write the *plan review letter*. The letter shall state that the project plans conform to the report's recommendations.

After building permit issuance the soils engineer *must remain involved with the project* during construction. Please review the *Notice to Permits Holders* (attached).

Our acceptance of the report is limited to its technical content. Other project issues such as zoning, fire safety, septic or sewer approval, etc. may require resolution by other agencies.

Please submit two copies of the report at the time of building permit application.

Please call the undersigned at (831) 454-3168 if we can be of any further assistance.

Sincerely,

Kent Edler
Civil Engineer

Cc: Robin Bolster-Grant, Project Planner
Butano Geotechnical Engineering, Inc.

Robert L. DeWitt & Associates, Inc.

Civil Engineers and Land Surveyors

1607 Ocean Street, Suite 1

Santa Cruz, CA 95060

(831)425-1617 (831)425-0224 (fax)

CLIENT _____ JOB NO. _____
SHEET NO. _____ OF 8
CALCULATED BY _____ DATE _____
CHECKED BY _____ DATE _____
SCALE _____

DRAINAGE CALCULATIONS

for the OFFSITE drainage upstream from

Lands of Rick Hochler

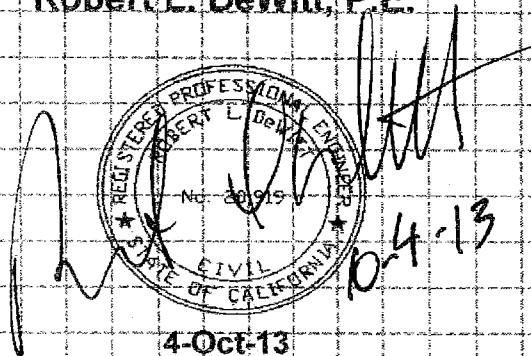
Located at:
701 Sugar Pine Dr.
Scotts Valley, CA

A.P.N. 067-581-07

Prepared at the request of

Rick Hochler
325 Canham Rd.
Scotts Valley, CA 95066

Prepared by:
Robert L. DeWitt, P.E.



4-Oct-13
R13079

48

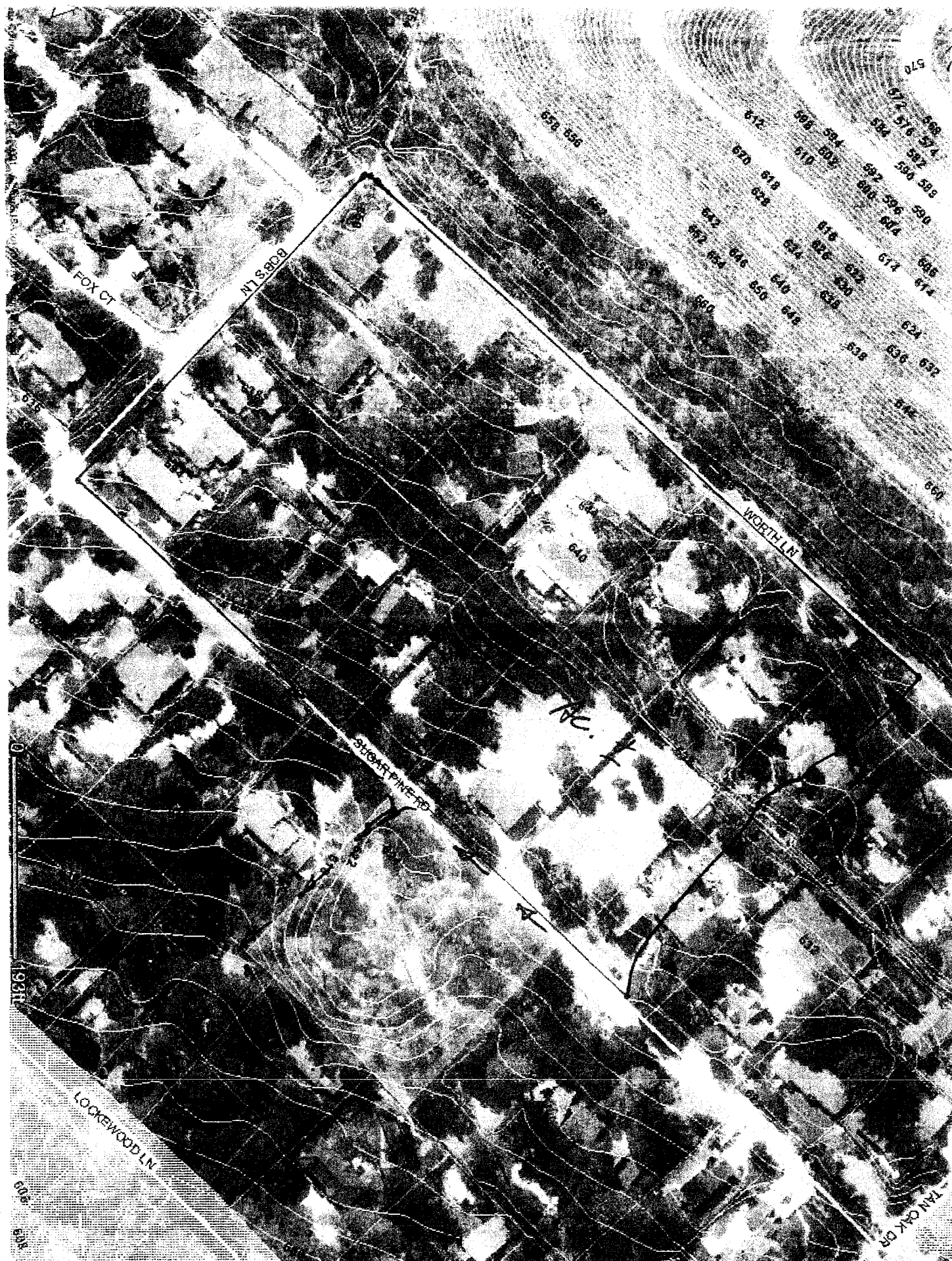
R06086
Hochler
APN: 067-581-07
701 Sugar Pine Rd.
Santa Cruz, CA
4/24/09

Q = ? cubic feet/second
A = 7.5 acre
P60 = 1.9 (See attached sheet)
Tc = 10 minutes (assumed)
I = 2.5 inches/hour (See attached sheet)
C = .45 (See attached sheet)

$$\begin{aligned} Q &= CIA \\ &= (.45) * (2.5 \text{ in/hr}) * (7.5 \text{ ac}) \\ &= 8.4 \text{ cfs} \end{aligned}$$

Return Period Factors

10yr	- 1.00	$Q = (8.4 \text{ cfs}) * 1.00 = 8.4 \text{ cfs}$
15yr	- 1.09	$Q = (8.4 \text{ cfs}) * 1.09 = 9.2 \text{ cfs}$
25yr	- 1.20	$Q = (8.4 \text{ cfs}) * 1.20 = 10.1 \text{ cfs}$
50yr	- 1.35	$Q = (8.4 \text{ cfs}) * 1.35 = 11.3 \text{ cfs}$
100yr	- 1.50	$Q = (8.4 \text{ cfs}) * 1.50 = 12.6 \text{ cfs}$



4/8

<u>TYPE OF AREA</u>	<u>10- YEAR RUNOFF COEFFICIENTS</u>
Rural, park, forested, agricultural	0.10 - 0.30
Low residential (Single family dwellings)	0.45 - 0.60
High residential (Multiple family dwellings)	0.65 - 0.75
Business and commercial	0.80
Industrial	0.70
Impervious	0.90

**REQUIRED ANTECEDENT MOISTURE FACTORS
(Ca) FOR THE RATIONAL METHOD***

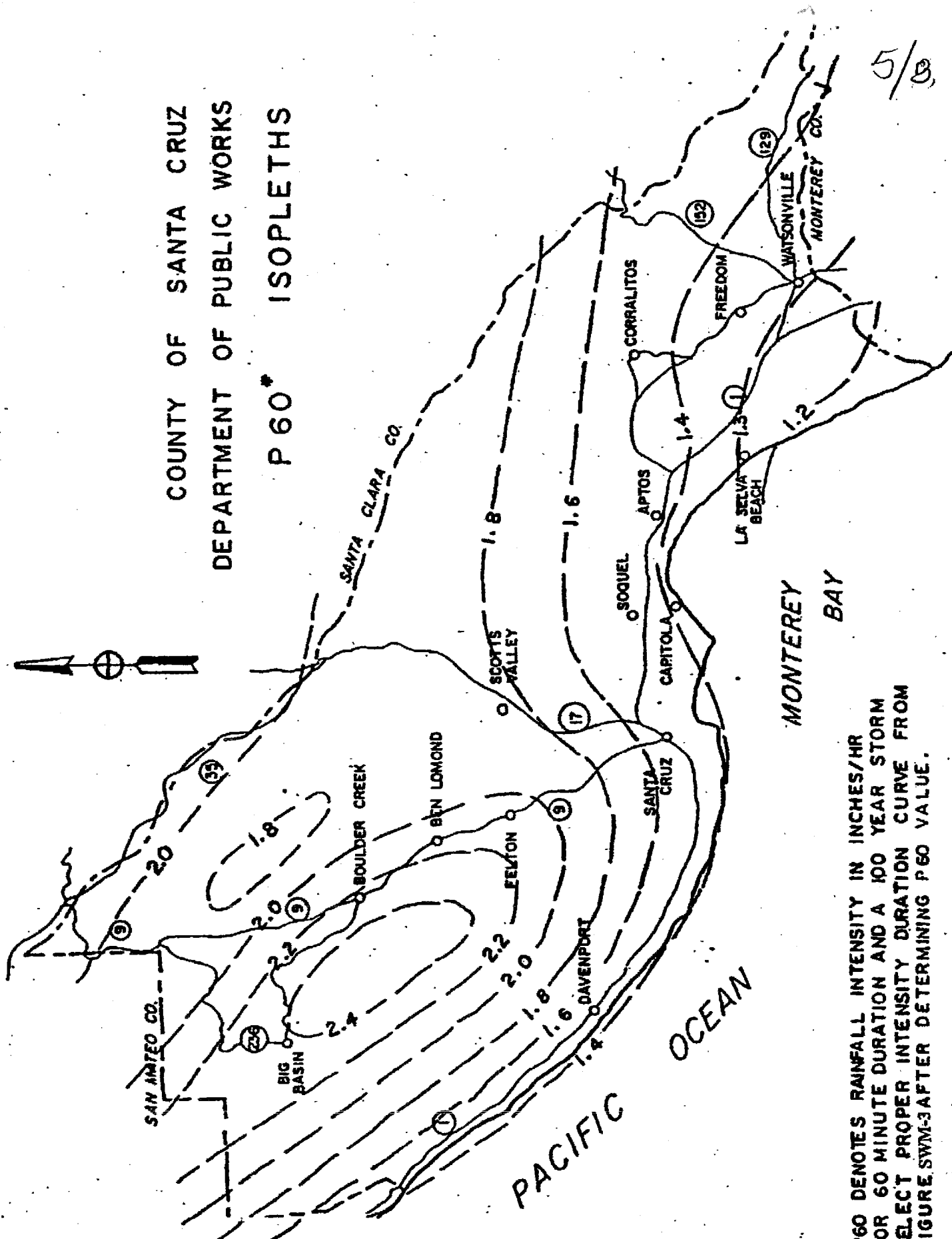
Recurrence Interval (Years)	Ca
2 to 10	1.0
25	1.1
50	1.2
100	1.25

Note: Application of antecedent moisture factors (Ca) should not result in an adjusted runoff coefficient (C) exceeding a value of 1.00

*APWA Publication "Practices in Detention of Stormwater Runoff"

5/8

COUNTY OF SANTA CRUZ
DEPARTMENT OF PUBLIC WORKS
P 60* ISOPLETHS



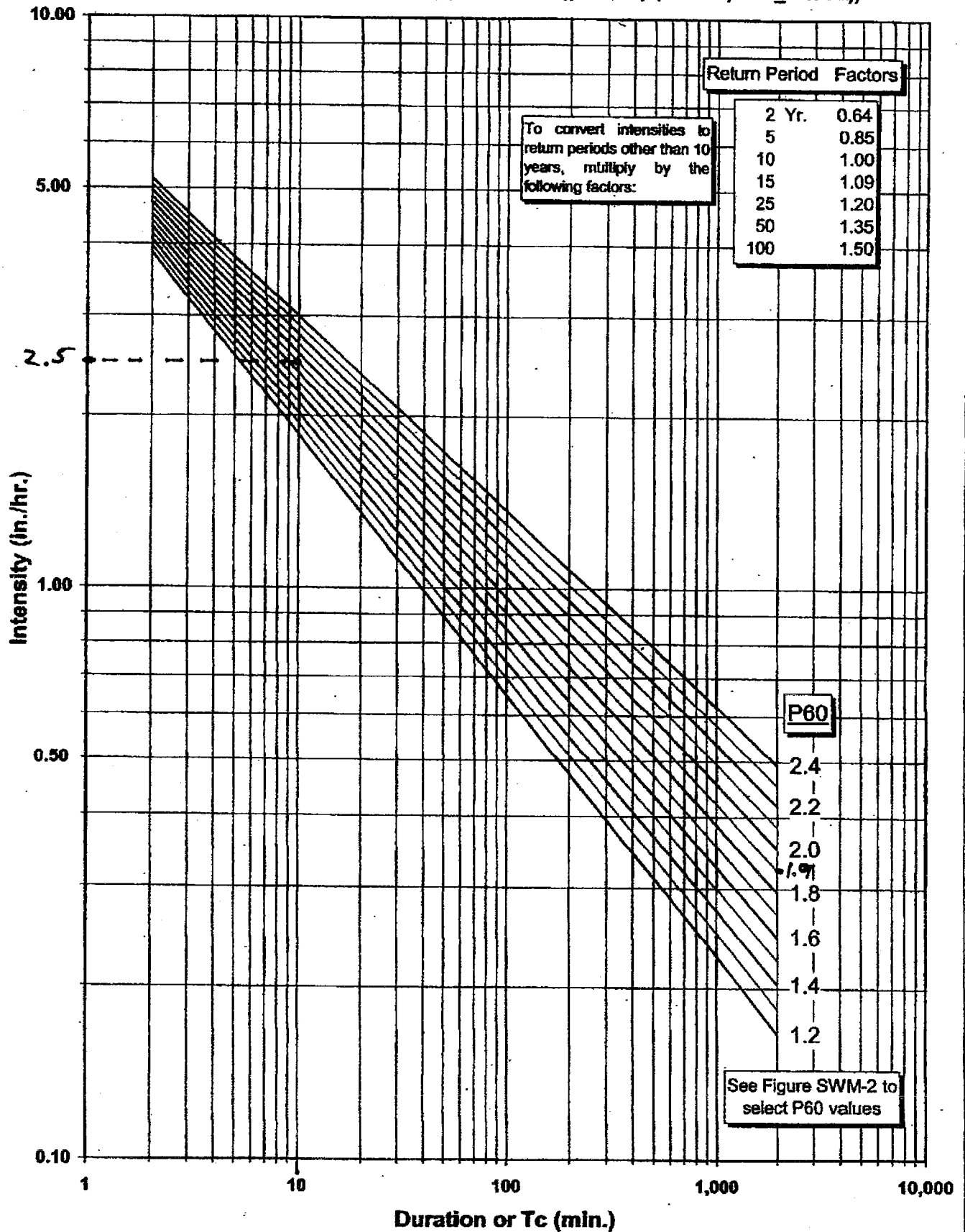
#P60 DENOTES RAINFALL INTENSITY IN INCHES/HR
FOR 60 MINUTE DURATION AND A 100 YEAR STORM
SELECT PROPER INTENSITY DURATION CURVE FROM
FIGURE SWM-3 AFTER DETERMINING P60 VALUE.

Rainfall Intensity - Duration Curves

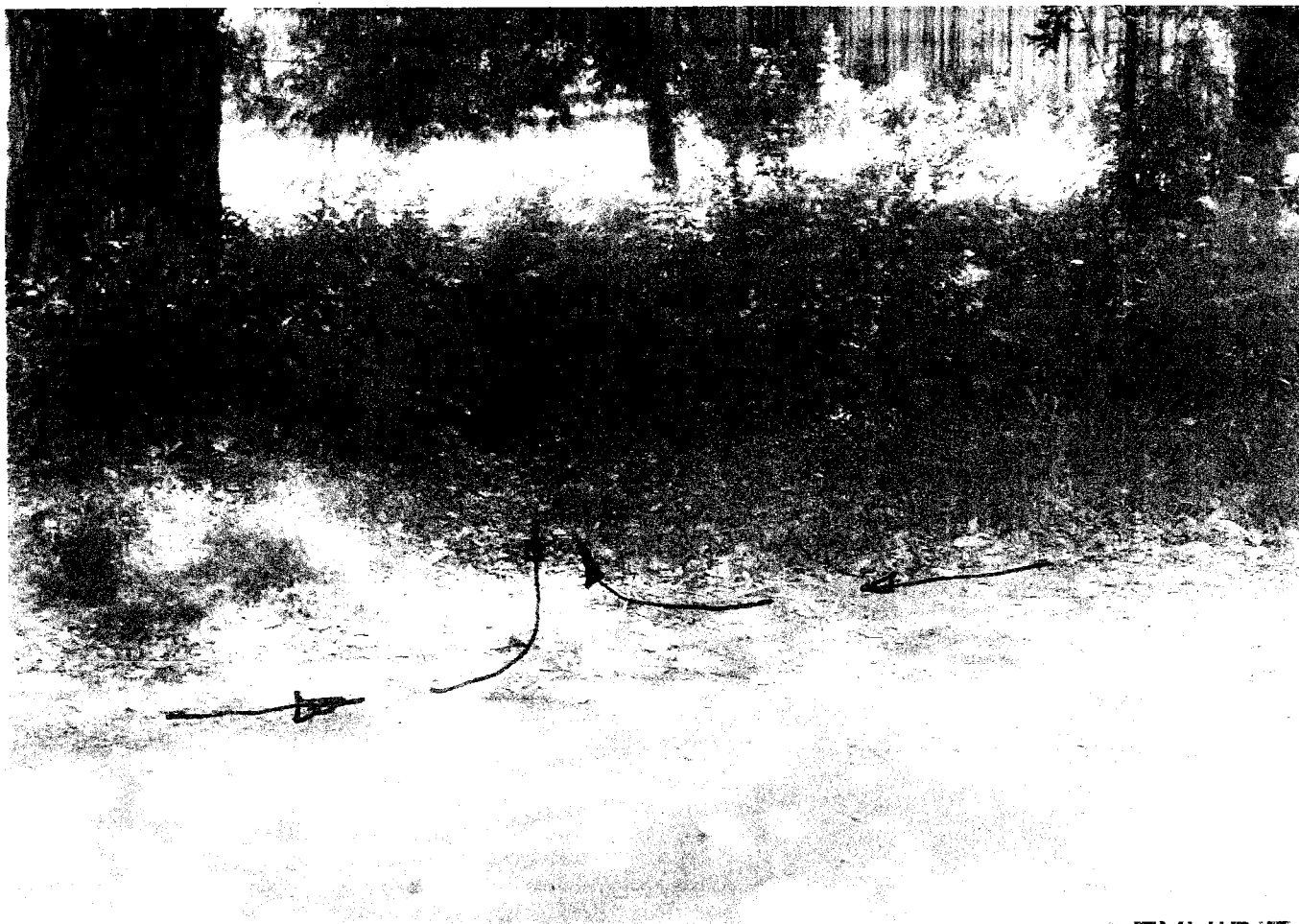
10 Yr. Return Period

6/8

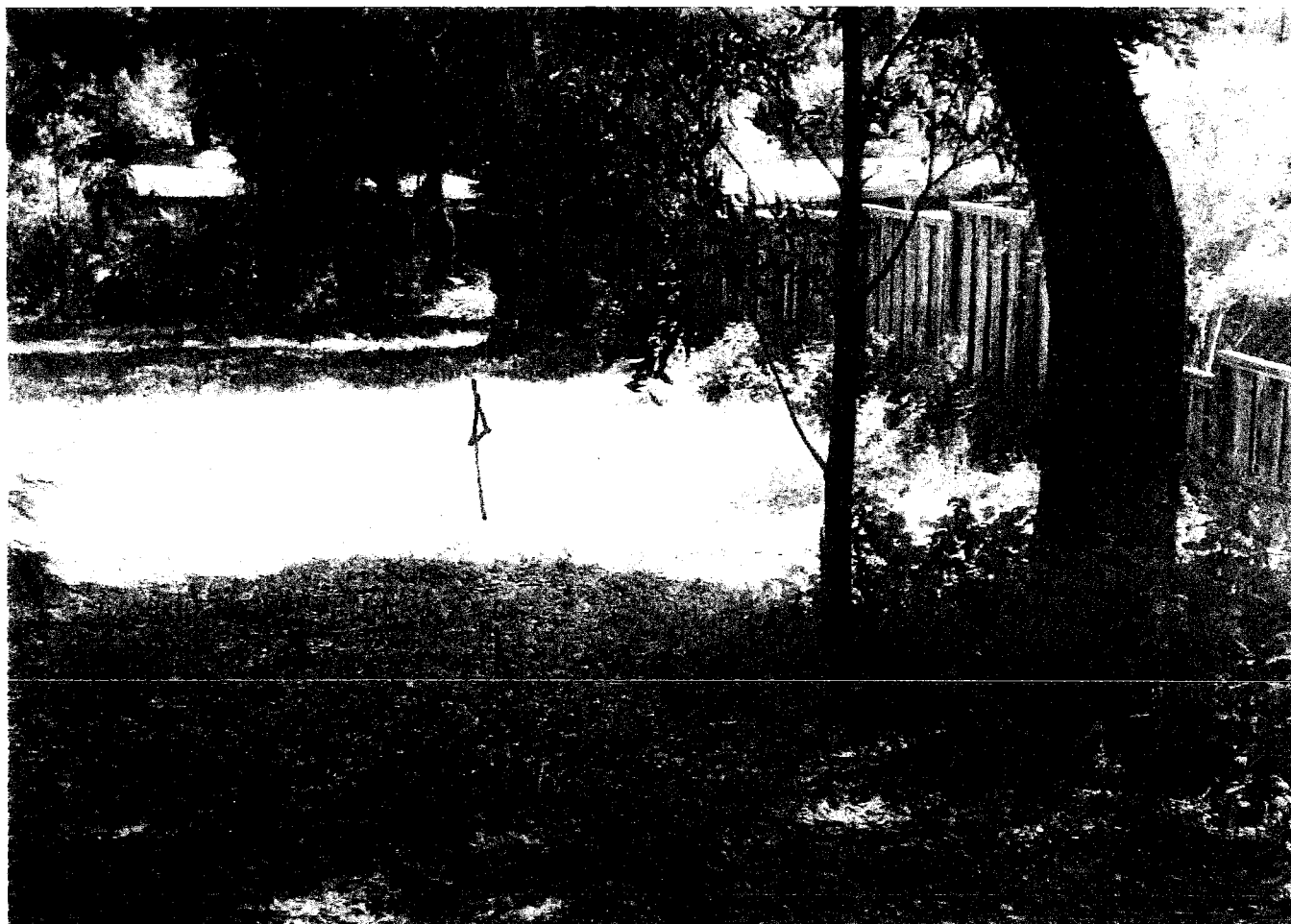
$$((4.29112)^{(1.1952)^{P60_VALUE}})/(DURATION^{((0.60924)^{(0.78522)^{P60_VALUE}})})$$



7/9



9/03





SAN LORENZO VALLEY WATER DISTRICT

13060 Highway 9 • Boulder Creek, CA 95006-9119

Office (831) 338-2153 • Fax (831) 338-7986

Website: www.slvwd.com

September 13, 2013

Rick Hochler
325 Canham Rd
Scotts Valley Ca 95066

Subject: Request for Meter Service
APN: 67-581-07

Dear Customer:

The District has on file your request for meter service on the above parcel.

Your request has been:

- ☐ Approved. Please come to the District to pay your connection charges.
 - ☐ Approved. Please bring your plumbing plans and sprinkler system flow requirement to the District to determine the cost of the water connection.
 - ☒ Conditions. Please contact the District office to discuss and make necessary arrangements.
 - ☐ Denied. Please contact the District office to discuss this meter request if you have any questions.
- Approval can be withdrawn at any time.
 - Water service is never guaranteed until service has been approved, sized and all fees paid.
 - Any addition of plumbing fixtures and/or residential fire sprinkler system to the existing water service requires an additional review by District staff and approval for compliance with meter sizing District Ordinances.

If you have any questions regarding this matter, please contact our office.

Sincerely:

Roxanne Spring

Roxanne Spring
Senior Customer Service/Accounts Specialist

DOMESTIC or JOINT DOMESTIC/RESIDENTIAL FIRE SERVICE-METER REVIEW

Request Date 5/28/13 APN 067 581 07

ORIGINAL

Why Divide into 2 parcels

Existing water sources: None ☒ Well ☐ Spring ☐ Meter ☐ Account # ☐

Owner's Name Rick Hochler

Existing Units 0

MAIL TO: Rick Hochler

Units to be built 2

325 Canham Rd

(GIS) Pad Elevation + 620

Scotts Valley, Ca 95066

Phone (831) 439 8990

ENGINEERING REVIEW: Date 8/27/13 Reimbursement Agreement for Parcel NO
 • EXISTING 6" MAIN FRONTING PARCEL (±109 PSI) In/Out District 1M
 (OPPOSITE SIDE OF THE STREET) STATE (GIS) Tank Elevation ±874'
 • REIMBURSEMENT AGREEMENT HAS EXPIRED Main Size 6"
 • SLVWD NEEDS FIXTURE UNIT COUNTS TO SIZE METER FOR DOMESTIC WATER USE REQUIREMENT. Zone 22
 • SLVWD NEEDS STAMPED & SIGNED FLOW CALC. DOCUMENT TO SIZE FOR FIRE FLOW REQUIREMENTS PROTECTION
ROB MENZIES
 Engineering Department

FIELD OPERATION REVIEW: Date 9/11/2013 Backflow Needed ☐
NO OPERATIONAL PROBLEMS, OK FOR SERVICE DC ☐ RP ☐

[Signature]
 Operations Superintendent

WATERSHED ANALYST REVIEW: Date ☐

Watershed Analyst

MANAGER REVIEW: Date 9/11/13 Approved ☒ Conditions ☒ Denied ☐

LOT SPLIT IN PROGRESS; NEEDS TO SUBMIT NEW REVIEW FOR EACH PARCEL UPON FILE LOT SPLIT APPROVAL.

[Signature]
 District Manager

SECOND MANAGER REVIEW: Date ☐ Approved ☐ Agreement ☐

[Signature]
 District Manager



City of Scotts Valley

Public Works Department

One Civic Center Drive Scotts Valley, California 95066
Phone 831 438-5854 Facsimile 831 439-9748

October 3, 2013

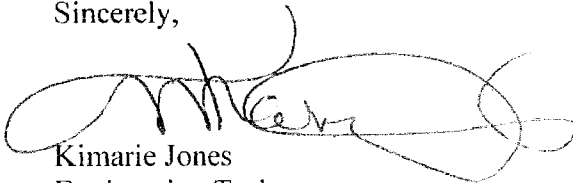
Rick Hochler
325 Canham Road
Scotts Valley, Ca. 95066

Re: APN 067-581-07

It has come to our attention that you would like to apply for a Minor Land Division to create new APN's in the county of Santa Cruz. With regard to the sewer hook up for this future property being in the County of Santa Cruz, your property is in the Pasatiempo Pines Assessment District and is authorized for connection to Scotts Valley City sewer outlined in for Pasatiempo Pines Wastewater Facilities Project, Ordinance No. 131.

Property owner must submit all improvement plans and any other applications and fees that the City of Scotts Valley requires prior to having the intended property connected to sewer.

Sincerely,



Kimarie Jones
Engineering Tech

Low-Effect Habitat Conservation Plan
for the Endangered Mount Hermon June Beetle
for the 504 Lockwood Lane (APN 067-041-14) 3-unit
residential development site and for the
701 Sugar Pine (APN 067-581-07) 3-unit residential development site
located in Santa Cruz County (near the City of Scotts Valley), California

Prepared for:
Mr. Rick Hochler
Hochler Construction
325 Canham Road
Scotts Valley, CA 95066
(831) 439-8990
hochwave@sbcglobal.net

Prepared by:
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Entomological Consulting Services, Ltd.
104 Mountain View Court
Pleasant Hill, CA 94523-2188
(925) 825-3784
bugdctr@comcast.net

Administrative Draft ver.1.0
August 2006

EXECUTIVE SUMMARY

Mr. Rick Hochler of Hochler Construction (hereafter referred to as "Mr. Hochler") has applied for a permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 as amended (16 U.S.C. 153101544, 87 Stat. 884), from the U.S. Fish & Wildlife Service (USFWS) for the incidental take of the endangered Mount Hermon June beetle (MHJB) (*Polyphylla barbata*: Coleoptera: Scarabaeidae). The potential taking would occur incidental to construction of six new single-family residences at two parcels that are located one block apart in the Whispering Pines neighborhood of Santa Cruz County (near the City of Scotts Valley), CA. One parcel (APN 067-041-14) measures 0.855 acre and is located at 504 Lockewood Lane. It has an existing single-family residence, garage, carport, and driveway, which would be razed to subdivide this lot into three parcels to accommodate three new single-family homes. The second parcel (APN 067-581-07) is a vacant lot that measures 0.903 acre and is located at 701 Sugar Pine Road. This vacant lot will be subdivided into three parcels to accommodate three new single-family homes. These residential development projects are known as Lockewood Lane Development and Sugar Pine Road Development.

Although both project sites are situated in a portion of the Zayante Sandhills that historically supported endemic plant communities, extensive residential and commercial development during the past 50 years throughout this portion of the Santa Cruz County has substantially degraded the original native habitat values. An existing single-family home is located at 504 Lockewood Lane. Sixteen Coast Live Oaks (*Quercus agrifolia*) and 10 Ponderosa pines (*Pinus ponderosa*) trees grow at this property along with landscaping. At the 701 Sugar Pine Road site, 42 Coast Live Oaks, 18 Ponderosa pines, invasive broom (*Cytisus*) has colonized nearly 100% of the property.

Prior to residential development of the Whispering Pines neighborhood, this neighborhood supported Ponderosa Pine forest with sand parkland. Today, the primary native plants at both properties are mature Ponderosa Pine (*Pinus ponderosa*) and Coast Live Oak (*Quercus agrifolia*) trees. Other native sandhill plants, especially those that would normally grow in the understories of these trees, have been replaced by ornamentals and landscaping at the Lockewood Lane property and invasive broom (*Cytisus*) at the Sugar Pine property. During a presence-absence survey conducted in 2001 for the previous property owner, Mr. Randy Kanawyer, 45 adults of the MHJB were observed at the 701 Sugar Pine Road project site. A presence-absence survey has not been conducted at the 504 Lockewood Lane project site, but due to the known nearby occurrences of MHJB in the surrounding neighborhood, Mr. Hochler assumes that the endangered beetle is likely to occur at this property. Therefore, Mr. Hochler has applied for a section 10(a)(1)(B) permit and proposes to implement the habitat conservation plan (HCP) described herein, which provides for measures for mitigating adverse effects on the MHJB for activities associated with the demolition of the existing single-family home, as well as the site grading and construction of the six new single-family residences. Mr. Hochler is requesting issuance of the section 10(a)(1)(B) permit for a period of five (5) years.

This HCP summarizes information about the project and identifies the responsibilities of the USFWS and Mr. Hochler for implementing the actions described herein to benefit the MHJB. The biological goal of the HCP is to replace the MHJB habitat impacted by the

construction project at a secure site in perpetuity. Mr. Hochler has satisfied his mitigation requirements by purchasing 1.758 acres of conservation credits for the endangered MHJB from the Ben Lomond Sandhills Preserve of the Zayante Sandhills Conservation Bank, which is operated by PCO, LLC and is located in Ben Lomond, CA. This HCP also describes measures that ensure the elements of the HCP are implemented in a timely manner. Funding sources for implementation of the HCP, actions to be taken for unforeseen events, alternatives to the proposed permit action, and other measures required by the USFWS are also discussed.

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TABLES

- 1a. Habitat types of the Lockewood Lane project site with estimates of existing and impacted acreages for each habitat type.
- 1b. Habitat types of the Sugar Pine Road project sites with estimates of existing and impacted acreages for each habitat type.
- 2a. Estimated costs for minimization and mitigations measures for the Lockewood Lane project site.
- 2b. Estimated costs for minimization and mitigations measures for the Sugar Pine Road project site.

FIGURES

1. Portion of Felton 7.5' USGS topographic map illustrating the locations of the Lockewood Lane and Sugar Pine Road project sites.
2. Street-level location map illustrating the location of the Lockewood Lane and Sugar Pine Road project sites.
- 3a. Site plan for Lockewood Lane project site.
- 3b. Site plan for Sugar Pine Road project site.
- 4a. Tree map for the Lockewood Lane project site, illustrating impacted and maintained trees.
- 4b. Tree map for the Sugar Pine project site, illustrating impacted and maintained trees.
5. Location map for the Ben Lomond Sandhills Preserve and its service area.

1.0 INTRODUCTION

This low-effect Habitat Conservation Plan (HCP) is for the proposed construction of six new, single-family residences at two properties located one block apart in the Whispering Pines residential neighborhood of Santa Cruz County near the City of Scotts Valley, California. The project sites are:

- a) 504 Lockewood Lane (APN 067-041-14), a 0.855-acre lot, which currently has a single-family residence, garage, carport, and driveway; and
- b) 701 Sugar Pine Road (APN 067-581-07), a 0.903-acre vacant lot.

This HCP has been prepared pursuant to the requirements of section 10(a) of the Federal Endangered Species Act (ESA). A single HCP has been prepared covering both proposed projects since the two properties are located close to one another, the proposed projects are both for residential development, the same endangered species is affected by both projects, and they have the same applicant. The HCP is intended to provide the basis for issuance of a section 10(a)(1)(B) permit to Rick Hochler of Hochler Construction (hereafter "Mr. Hochler"), the permit applicant, to authorize incidental take (see section 6.0) of the Mount Hermon June beetle (MHJB) (*Polyphylla barbata*: Coleoptera: Scarabaeidae), a federally-listed endangered species, that could potentially result from the grading and construction activities at both of the aforementioned project sites. The U.S. Fish & Wildlife Service (USFWS) has concluded that both project sites provide potential habitat for this beetle. Mr. Hochler requests a permit for a period of five (5) years commencing on the date of permit approval.

This HCP provides an assessment of the existing habitats at both the Lockewood Lane and Sugar Pine Road project sites for the MHJB, evaluates the effects of the proposed projects on this beetle, and presents a mitigation plan to offset habitat losses and/or direct harm to this beetle that could result from grading and construction activities at both project sites. The biological goal of this HCP is to replace the MHJB habitat impacted by the development of the Lockewood Lane and Sugar Pine Road properties at a secure site in perpetuity. Specifically, 1.758 MHJB conservation credits have been purchased from a conservation bank approved by the USFWS for MHJB mitigation. Because habitat quality at the conservation bank is superior to that at either project site, and habitat at the conservation bank is protected in perpetuity via a conservation easement, this mitigation solution will provide greater long term conservation value to the MHJB and its habitat than would on-site mitigation.

1.1 PROJECT LOCATIONS

Both project sites are located in the County of Santa Cruz, in the Whispering Pines residential neighborhood near the City of Scotts Valley, CA. Both sites are located within the boundaries of the Felton 7.5' U.S. Geological Survey (USGS) topographic quadrangle, specifically in Township 10S. and Range 2W. of the Mt. Diablo Meridian. No section numbers are identified in this portion of the topographic quadrangle (Figure 1). Because of the extensive development that has occurred in the City of Scotts Valley since the Felton quadrangle was printed in 1980, Figure 2 is a street-level location map that illustrates both properties. The two properties are situated one block apart.

The Lockewood Lane project site lies northwest of Lockewood Lane, just northwest of its intersection with Estrella Drive (Figure 2). Specifically, it is located at 504 Lockewood Lane and measures 0.855 acre. The Sugar Pine Road project site measures approximately 0.903 acre and is located at 701 Sugar Pine Road. It lies southeast of Sugar Pine Road in the block between Tan Oak Drive and Bob's Lane (Figure 2).

1.2 PROJECT SITES

Both project sites are located in a residential neighborhood known as Whispering Pines. Surrounding properties are generally developed as single-family homes, although the Valley Gardens Golf Course is near the northern corner of the Lockewood Lane project site. Due to prior land uses, native habitat values at both sites have been substantially degraded.

The Lockewood Lane project site was previously developed and currently supports a single-family residence, garage, carport, and driveway. At the present time these improvements cover approximately 8,225 ft.² (0.189 acre). Sixteen Coast Live Oak and 10 Ponderosa Pine trees still grow at the property, but most of the resident understory vegetation consists of non-natives used for landscaping.

The Sugar Pine Road project site is a vacant lot. Although 42 Coast Live Oak and 18 Ponderosa Pine trees still grow at the property, the understory is a nearly impenetrable thicket of invasive broom (*Cytisus*).

1.3 HISTORY OF THE HCP PROCESS

In 2001, Dr. Richard Arnold, President of Entomological Consulting Services, Ltd., performed a presence-absence survey at the Sugar Pine Road site for the Mount Hermon June beetle on behalf of the previous owner, Mr. Randy Kanawyer. Arnold (2001) found 45 adults of the endangered beetle during three nights of surveys. A copy of his presence-absence survey report is attached as Appendix A. A presence-absence survey has not been conducted for the Lockewood Lane site since MHJBs are presumed to be present because the beetle is known from nearby properties in the surrounding neighborhood.

In March 2005 Mr. Hochler of Hochler Construction hired Dr. Arnold to prepare this HCP. Dr. Arnold spoke with Roger Root, biologist with the Ventura office of the USFWS about the proposed project and need for an HCP in May 2006. USFWS advised Dr. Arnold that an incidental take permit would be necessary for both proposed projects to comply with the Endangered Species Act. Due to the proximity of both project sites, the same applicant, and similarities of the proposed residential developments, it was agreed that a single HCP and incidental take application could be submitted for both projects. Thus this draft, low-effect HCP was prepared and submitted to the Ventura office of USFWS in August 2006. Although this document has been prepared as a low-effect HCP, the USFWS still needs to complete its Low-Effect Habitat Conservation Plan Screening Form. After completing this form, the USFWS will determine whether the HCP for the proposed projects qualifies for the low-effect category, thereby qualifying for a categorical exclusion under the National Environmental Policy Act.

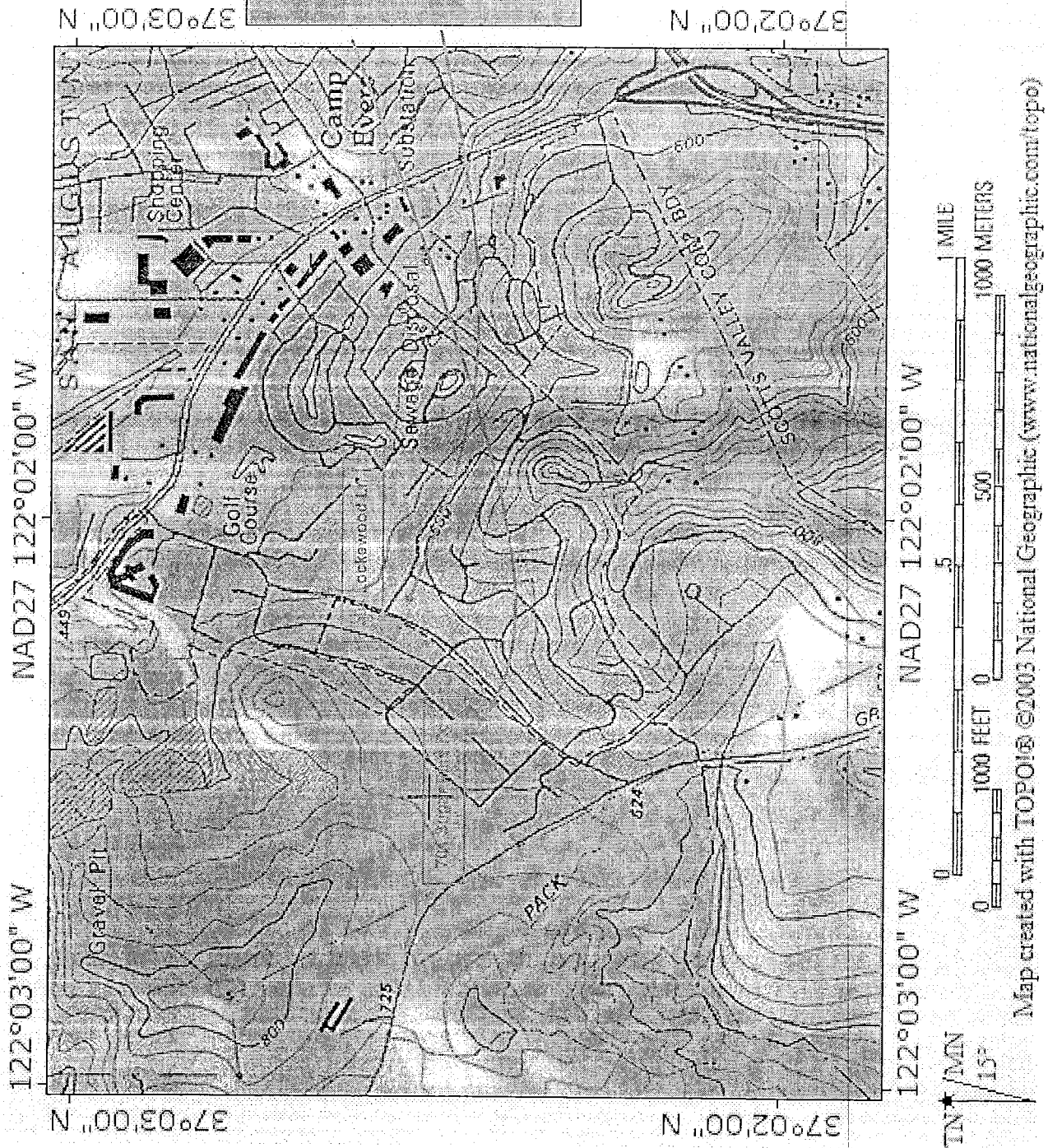
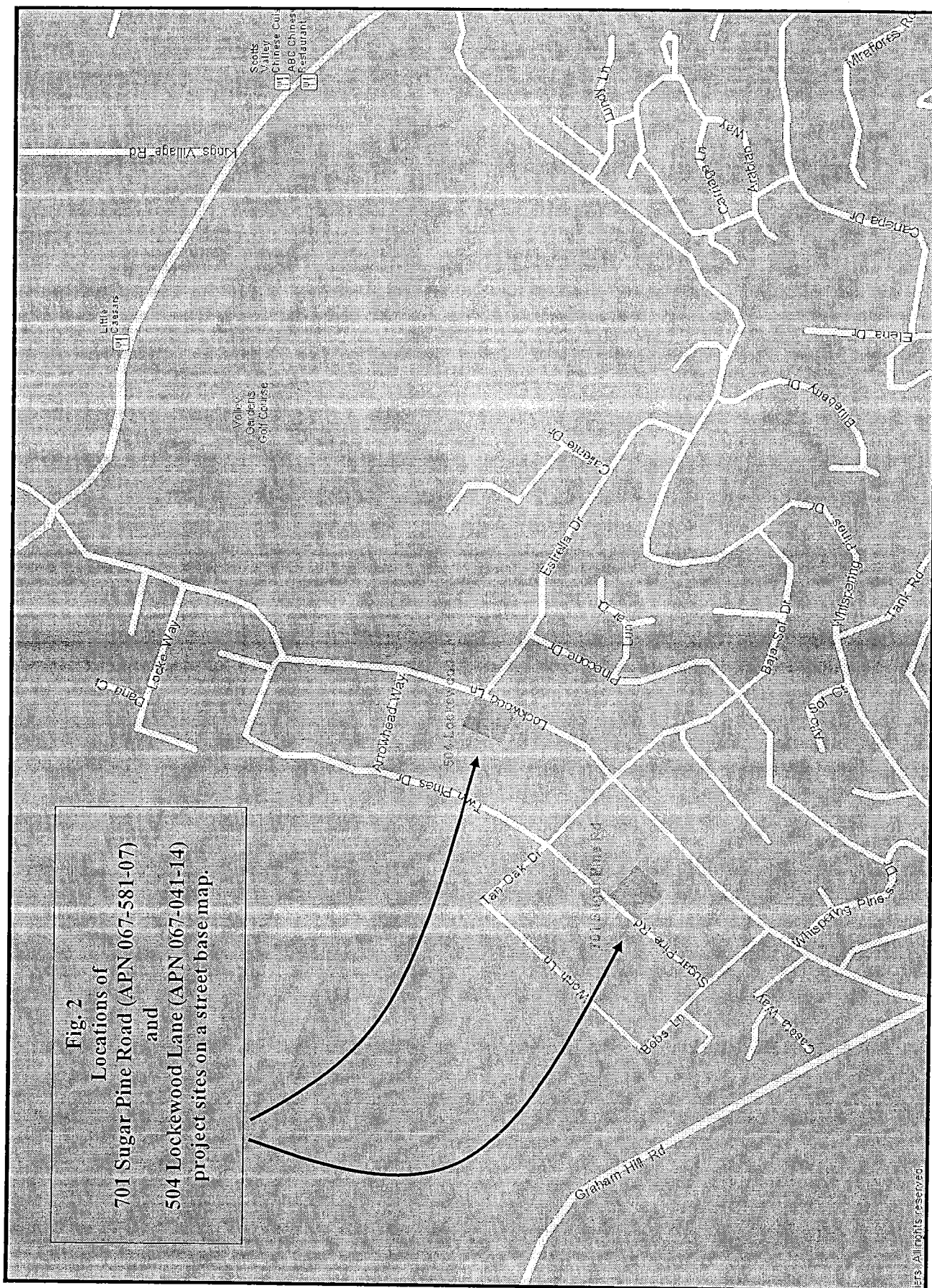


Fig. 1
Locations of the
701 Sugar Pine Road
(APN 067-581-07) and
504 Lockwood Lane
(APN 067-041-14)
project sites on a portion
of the Felton 7.5' USGS
topo map.



2.0 PROJECT DESCRIPTIONS AND AREAS

2.1 PROJECT SITES AND PROJECT DESCRIPTIONS

Both project sites are located one block apart in the same Whispering Pines residential neighborhood of the County of Santa Cruz, near the City of Scotts Valley, CA. They are characterized by Zayante sandy soils as mapped by Bowman and Estrada (1980).

2.1.1 504 Lockwood Lane

The project site located at 504 Lockwood Lane measures 0.855 acre and is nearly square in shape. It was previously developed and currently has a single-family residence, garage, carport, and driveway, which collectively cover about 0.189 acre. Topography is generally flat with elevations ranging from 575 to 601 feet, and a gentle slope from the rear of the property towards Lockwood Lane. Although Coast Live Oak and Ponderosa Pine trees still grow on the property, but it is generally characterized by ornamental plants and trees used for landscaping.

The project site will be subdivided into three separate lots to accommodate construction of three new single-family homes. The existing home, garage, carport, and driveway will be demolished to accommodate the new development. The three new lots will range in size from 12,098 to 13,035 ft.². The three new homes will share a common driveway access to Lockwood Lane. Locations of the three proposed, single-family homes and other associated site improvements are illustrated in Figure 3a, the site plan that was prepared by architect William C. Kempf. Because demolition, grading, and construction activities are expected to occur throughout the all portions of the project site the entire property is also referred to as the “impact area.”

The new homes will be plumbed with domestic water and sanitary sewer. Since the sanitary sewer lines drain to a public sewer line, no septic or cesspool systems will be required. Electrical power is fed from overhead power lines that run along Lockwood Lane. Likewise natural gas is also provided by the local utility provider via underground connection at property line. All trenching for the connection of underground utilities will occur within the impact area.

To the extent practical, native Coast Live Oak and Ponderosa Pine trees will be protected during grading and construction activities and incorporated into future landscaping. Four pines will be removed, but six pines will be retained. None of the 16 oaks will be removed. Locations of the impacted and maintained trees are illustrated in Figure 4a. The maintained trees will not be disturbed except as needed to conform to any fire clearance regulations of the Scotts Valley Fire District.

Altogether, these activities will disturb the entire 0.855-acre property. As a minimization measure, 16 Coast Live Oaks and four Ponderosa Pines, indigenous to the Zayante sandhills will be maintained at this project site. Additional minimization measures will be employed before, during, and after construction activities to minimize any adverse impacts to the MHJB and its habitat at this project site, including.

- 1) Temporary fencing, and if necessary signs, will be erected before any grading or other construction-related activities occur to delineate the maintained trees;
- 2) Appropriate dust control measures, such as periodically wetting down the graded areas, will be used as necessary during grading of the impact area or any other activities that generate dust; and
- 3) All workers at the project site will participate in a tailgate session to learn about the endangered beetle, its habitat, protective measures, and procedures to follow if any individuals of the MHJB are actually observed at either project site during the course of all construction-related activities.

2.1.2 701 Sugar Pine Road

The project site located at 701 Sugar Pine Road is a 0.903-acre vacant lot that is nearly square in shape. Topography is generally flat, with elevations ranging from 606 to 618 feet and a mild overall slope from Sugar Pine Road to the rear of the lot. Degraded Ponderosa Pine forest occurs at the property, with 18 Ponderosa Pine and 42 Coast Live Oak trees still growing there. However, the understory is a nearly impenetrable thicket of introduced broom (*Cytisus*).

The project site will be subdivided into three separate lots to accommodate construction of three new single-family homes. The new lots will range in size from 13,073 to 13,177 ft.². Each of the three new homes will have its own driveway access to Sugar Pine Road. Two drainage recharge trenches will also be built on each of the three new lots. Locations of the three proposed, single-family homes and other associated site improvements are illustrated in Figure 3b, the site plan, as prepared by architect William C. Kempf. Because grading and construction activities are expected to occur throughout the all portions of the project site the entire property is also referred to as the “impact area”.

The new homes will be plumbed with domestic water and sanitary sewer. Since the sanitary sewer lines drain to a public sewer line, no septic or cesspool systems will be required. Electrical power is fed from overhead power lines that run along Sugar Pine Road. Likewise natural gas is also provided by the local utility provider via underground connection at property line. All trenching for the connection of underground utilities will occur within the impact area.

To the extent practical, native trees will be protected during grading and construction activities and incorporated into future landscaping. The property currently supports 42 Coast Live Oaks, 18 Ponderosa Pines, 2 Madrones, and 1 Cedar. A total of 21 trees, including 15 oaks, 5 pines, and 1 madrone will be removed. Locations of the maintained trees are illustrated in Figure 4b. The maintained trees will not be disturbed except as needed to conform to fire clearance regulations of the Scotts Valley Fire District.

Altogether, these activities will disturb the entire 0.903-acre property. As a minimization measure, 27 Coast Live Oaks and 13 Ponderosa Pines, indigenous to the Zayante sandhills will be maintained. Additional minimization measures will be employed before, during, and after construction activities to minimize any adverse impacts to the MHJB and its habitat at the project site, including.

- 1) Temporary fencing, and if necessary signs, will be erected before any grading or other construction-related activities occur to delineate the maintained trees;
- 2) Appropriate dust control measures, such as periodically wetting down the graded areas, will be used as necessary during grading of the impact area or any other activities that generate dust; and
- 3) All workers at the project site will participate in a tailgate session to learn about the endangered beetle, its habitat, protective measures, and procedures to follow if any individuals of the MHJB are actually observed at the project site during the course of all construction-related activities.

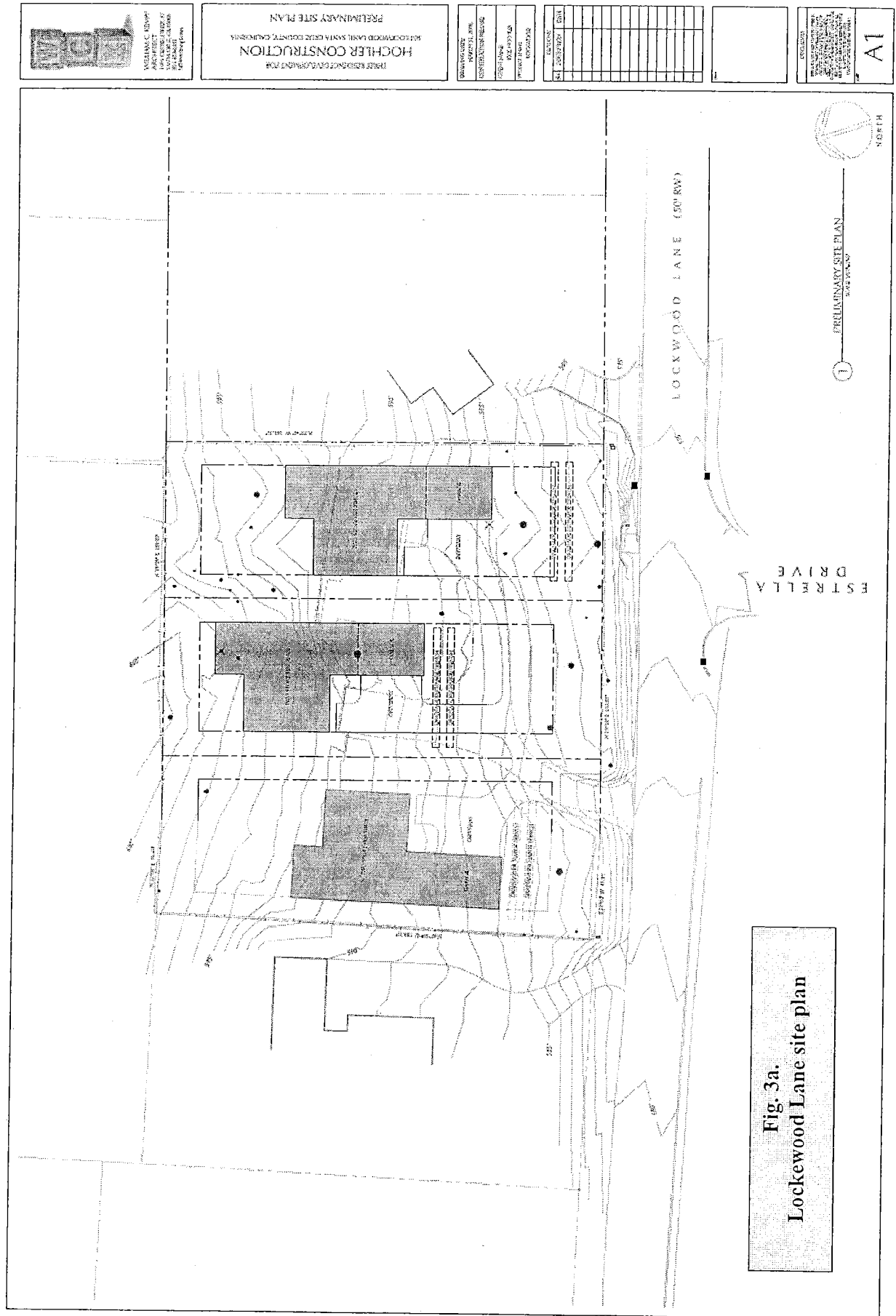
2.2 PERMIT HOLDER/PERMIT BOUNDARIES

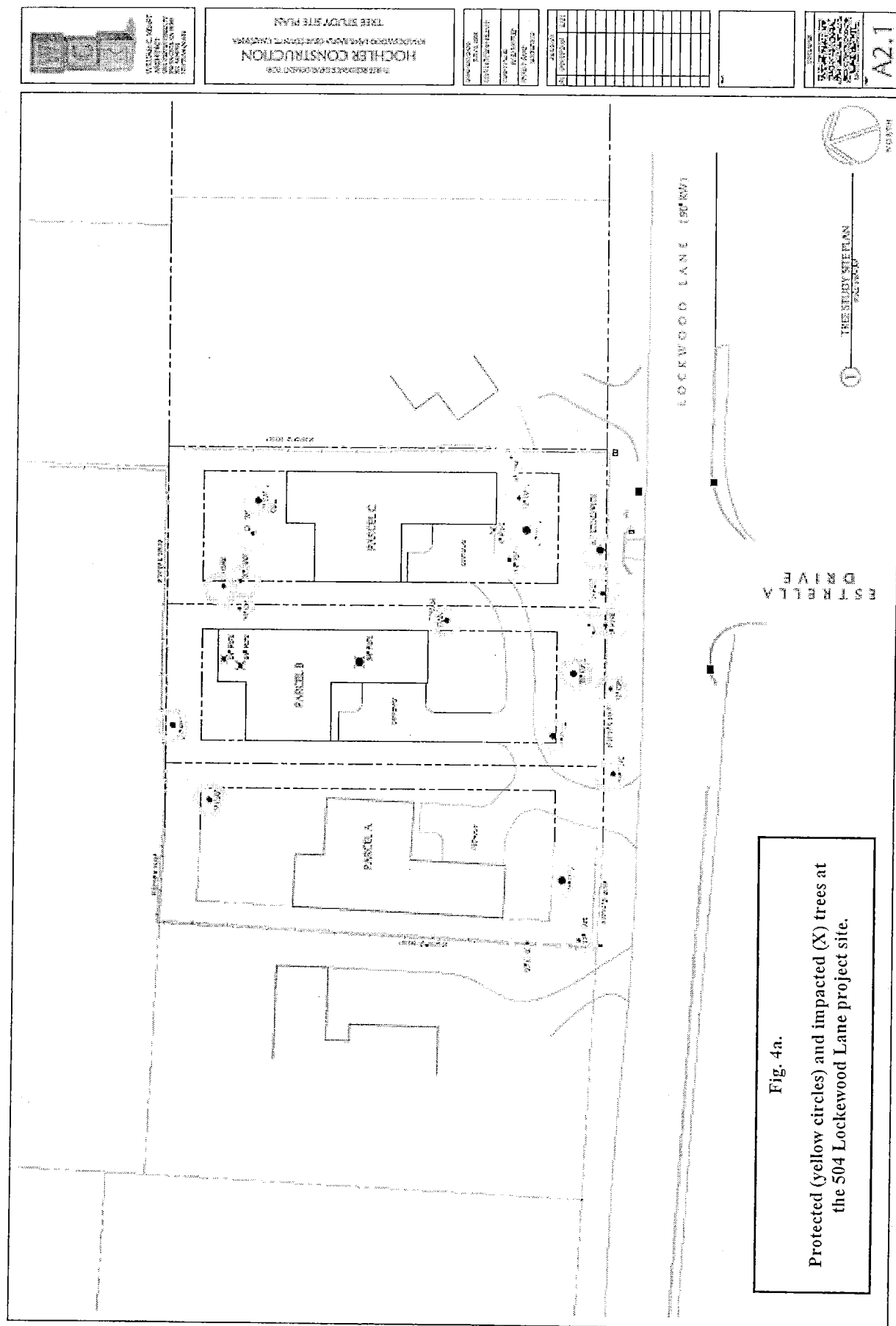
Mr. Hochler will be the holder of the section 10(a) permit. Mr. Rick Hochler can be contacted via mail at 325 Canham Road, Scotts Valley, CA 95066, or via telephone at (831) 439-8990, via fax at (831) 439-8990, or via cell phone at (831) 818-0919, or via email at hochwave@sbcglobal.net. In the event of sale of the property prior to completion of the proposed development, a new permit application along with an Assumption Agreement will be submitted to the USFWS by the new owner.

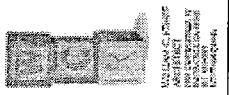
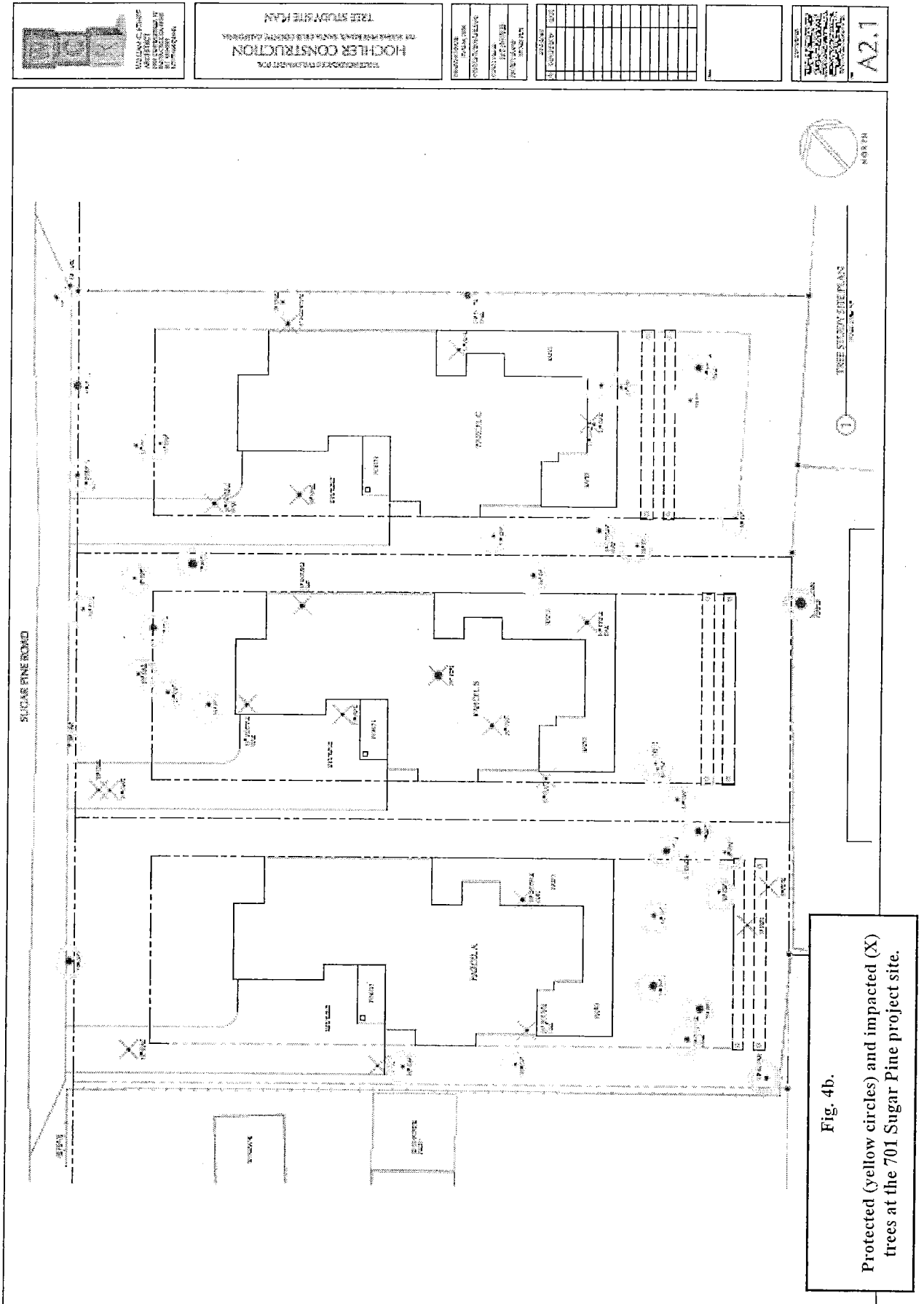
The permit boundaries are the same as the property boundaries of the 0.855-acre project site located at 504 Lockewood Lane and the 0.903-acre project site located at 701 Sugar Pine Road. These boundaries are illustrated in Figures 3a and 3b.

2.3 SURROUNDING LAND USES

Both the Lockewood Lane and Sugar Pine Road project sites are located in a residential neighborhood of the County of Santa Cruz known as Whispering Pines. Surrounding properties primarily support single-family homes; however, the Valley Gardens Golf Course lies northeast of the Lockewood Lane project site. Zoning for both project sites is R-1-10, which means that one single-family residence is allowed on a minimum lot size of 10,000 ft.².







HOCHLER CONSTRUCTION
701 SUGAR PINE ROAD, SUITE 100, SAN JOSE, CA 95128
TEL: (408) 293-1111
FAX: (408) 293-1112
WWW.HOCHLERCONSTRUCTION.COM

PROJECT INFORMATION
PROJECT NAME: 701 SUGAR PINE
PROJECT LOCATION: 701 SUGAR PINE ROAD, SUITE 100, SAN JOSE, CA 95128
PROJECT OWNER: HOCHLER CONSTRUCTION
PROJECT MANAGER: [Name]
PROJECT ENGINEER: [Name]
PROJECT ARCHITECT: [Name]
PROJECT LANDSCAPE ARCHITECT: [Name]
PROJECT PHOTOGRAPHER: [Name]
PROJECT VIDEOGRAPHER: [Name]
PROJECT MUSICIAN: [Name]
PROJECT DANCER: [Name]
PROJECT ACTRESS: [Name]
PROJECT DIRECTOR: [Name]

DATE	DESCRIPTION
10/1/2011	Initial site visit
10/15/2011	Site plan development
11/1/2011	Final site plan
11/15/2011	Site plan review
12/1/2011	Site plan approval
12/15/2011	Site plan implementation
1/1/2012	Site plan completion

PROJECT INFORMATION
PROJECT NAME: 701 SUGAR PINE
PROJECT LOCATION: 701 SUGAR PINE ROAD, SUITE 100, SAN JOSE, CA 95128
PROJECT OWNER: HOCHLER CONSTRUCTION
PROJECT MANAGER: [Name]
PROJECT ENGINEER: [Name]
PROJECT ARCHITECT: [Name]
PROJECT LANDSCAPE ARCHITECT: [Name]
PROJECT PHOTOGRAPHER: [Name]
PROJECT VIDEOGRAPHER: [Name]
PROJECT MUSICIAN: [Name]
PROJECT DANCER: [Name]
PROJECT ACTRESS: [Name]
PROJECT DIRECTOR: [Name]

A2.1

3.0 REGULATORY FRAMEWORK

3.1 FEDERAL ENDANGERED SPECIES ACT OF 1973

Section 9 of the Endangered Species Act and Federal regulations pursuant to section 4(d) of the ESA prohibit the take of endangered and threatened species, respectively, without special exemption. "Take" is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Harm is further defined by the USFWS to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering. Harass is defined by the USFWS as intentional or negligent actions that create the likelihood of injury to listed species by annoying them to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. Incidental take is defined as take that is incidental to, and not the purpose of the carrying out of an otherwise lawful activity.

Pursuant to section 11(a) and (b) of the ESA, any person who knowingly violates section 9 of the ESA or any permit, certificate, or regulation related to section 9, may be subject to civil penalties of up to \$25,000 for each violation or criminal penalties up to \$50,000 and/or imprisonment of up to one year.

Individuals and state and local agencies proposing an action that is expected to result in the take of federally listed species are encouraged to apply for an incidental take permit under section 10 (a)(1)(B) of the ESA to be in compliance with the law. Such permits are issued by the USFWS when take is not the intention of and is incidental to otherwise legal activities. An application for an incidental take permit must be accompanied by a habitat conservation plan, commonly referred to as an HCP. The regulatory standard under section 10 (a)(1)(B) of the ESA is that the effects of authorized incidental take must be minimized and mitigated to the maximum extent practicable. Under section 10 (a)(1)(B) of the ESA, a proposed project also must not appreciably reduce the likelihood of the survival and recovery of the species in the wild, and adequate funding for a plan to minimize and mitigate impacts must be ensured.

Section 7 of the ESA requires Federal agencies to ensure that their actions, including issuing permits, do not jeopardize the continued existence of listed species or destroy or adversely modify listed species' critical habitat. "Jeopardize the continued existence of..." pursuant to 50 CFR 402.2, means to engage in an action that reasonably would be expected, directly or indirectly, to reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species. Issuance of an incidental take permit under section 10 (a)(1)(B) of the ESA by the USFWS is a Federal action subject to section 7 of the ESA. As a Federal agency issuing a discretionary permit, the USFWS is required to consult with itself (i.e., conduct an internal consultation). Delivery of the HCP and a section 10 (a)(1)(B) permit application initiates the section 7 consultation process within the USFWS.

The requirements of section 7 and section 10 substantially overlap. Elements unique to section 7 include analyses of impacts on designated critical habitat, analyses of impacts on listed plant species, if any, and analyses of indirect and cumulative impacts on listed species.

Cumulative effects are effects of future State, tribal, local or private actions that are reasonably certain to occur in the action area, pursuant to section 7 (a)(2) of the ESA. The action area is defined by the influence of direct and indirect impacts of covered activities. The action area may or may not be solely contained within the HCP boundary. These additional analyses are included in this HCP to meet the requirements of section 7 and to assist the USFWS with its internal consultation.

3.1.1. Section 10 Permit Process and HCP Requirements.

The section 10(a)(1)(B) process for obtaining an incidental take permit has three primary phases:

- 1) the HCP development phase;
- 2) the formal permit processing phase; and
- 3) the post-issuance phase.

During the HCP development phase, the project applicant prepares a plan that integrates the proposed project or activity with the protection of listed species. An HCP submitted in support of an incidental take permit application must include the following information:

- impacts likely to result from the proposed taking of the species for which permit coverage is requested;
- measures that will be implemented to monitor, mitigate for, and minimize impacts;
- funding that will be made available to undertake such measures;
- procedures to deal with unforeseen circumstances;
- alternative actions considered that would not result in take; and
- additional measures the USFWS may require as necessary or appropriate for purposes of the plan.

The USFWS has established a special category of HCP, called a low-effect HCP, for projects with relatively minor or negligible impacts. Based on criteria for determining whether a HCP qualifies as “low-effect”, as described below and in the USFWS’s (1996) Habitat Conservation Planning Handbook, the applicant for the proposed Lockewood Lane and Sugar Pine Road projects believes this is a low-effect HCP.

A low-effect HCP is defined as having:

- minor or negligible effects on federally listed, proposed, or candidate species and their habitats that are covered under the HCP; and
- minor or negligible effects on other environmental resources.

The impacts are assessed on both a project and cumulative basis. Implementation of low-effect HCPs and their associated incidental take permits, despite authorization of some small level of incidental take, individually and cumulatively have a minor or negligible effect on the species covered in the HCP. The determination of whether an HCP qualifies for the low-effect category is based on the anticipated impacts of the project prior to implementation of the mitigation plan. The purpose of the low-effect HCP is to expedite handling of HCPs for activities with inherently low impacts; it is not intended for projects with significant potential impacts that are subsequently reduced through mitigation programs. Environmental compliance under the National Environmental Protection Act (NEPA) for low-effect HCPs is achieved via a categorical exclusion because the incidental take permit issued involves no individual or cumulative significant effects on the environment.

The HCP development phase concludes and the permit-processing phase begins when a complete application package is submitted to the appropriate permit-issuing office of USFWS. The complete application package for a low-effect HCP consists of:

- 1) an HCP;
- 2) a completed permit application; and
- 3) a \$100 permit fee from the applicant.

The USFWS must publish a Notice of Receipt of a Permit Application in the Federal Register; prepare a section 7 Biological Opinion; prepare a Set of Findings that evaluates the action 10(a)(1)(B) permit application in the context of permit issuance criteria (see below); and prepare an Environmental Action Statement, a brief document that serves as the USFWS's record of compliance with NEPA for categorically excluded actions (see below). An implementing agreement is not required for a low-effect HCP. A section 10 (a)(1)(B) incidental take permit is granted upon determination by USFWS that all requirements for permit issuance have been met. Statutory criteria for issuance of the permit are as follows:

- the taking will be incidental;
- the impacts of incidental take will be minimized and mitigated to the maximum extent practicable;
- adequate funding for the HCP and procedures to handle unforeseen circumstances will be provided;
- the taking will not appreciably reduce the likelihood of survival and recovery of the species in the wild;
- the applicant will provide additional measures that USFWS requires as being necessary or appropriate; and
- the USFWS has received assurances, as may be required, that the HCP will be implemented.

After receipt of a complete application, a low-effect HCP and permit application is typically processed within approximately 12 months. This schedule includes the Federal Register notification and a 30-day public comment period.

During the post-issuance phase, the permittee and other responsible entities implement the HCP and the USFWS monitors the permittee's compliance with the HCP and the long-term progress and success of the HCP. The public is notified of permit issuance through publication in the Federal Register.

3.2 NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

The National Environmental Policy Act of 1969, as amended (NEPA), requires that Federal agencies analyze and disclose the environmental impacts of their proposed actions (e.g., issuance of an incidental take permit) and include public participation in the planning and implementation of their actions. Issuance of an incidental take permit by the USFWS is a Federal action subject to NEPA compliance. Although section 10 and NEPA requirements overlap considerably, the scope of NEPA also considers the impacts of the action on non-biological resources such as water quality, air quality, and cultural resources. Depending on the scope and impact of the HCP, NEPA requirements can be satisfied by one of the following documents or actions:

- 1) preparation of an environmental impact statement (generally prepared for HCPs with known significant impacts to the human environment);
- 2) preparation of an Environmental Assessment (generally prepared for HCPs with moderate, but not significant effects, or when the significance of the impacts is unknown); or
- 3) a categorical exclusion (allowed for low-effect HCPs).

The NEPA process helps Federal agencies make informed decisions with respect to the environmental consequences of their actions and ensures that measures to protect, restore, and enhance the environment are included, as necessary, as a component of their actions. Low-effect HCPs, as defined in the USFWS' (1996) Habitat Conservation Planning Handbook, are categorically excluded under NEPA, as defined by the Department of Interior Manual 516DM2, Appendix 1, and Manual 516DM6, Appendix 1.

3.3 CALIFORNIA ENVIRONMENTAL QUALITY ACT

In many ways the California Environmental Quality Act, commonly known as CEQA (Public Resources Code Section 21000 *et seq.*), is analogous at the State level as NEPA is to the Federal level. CEQA applies to projects that require approval by State and local public agencies. It requires that such agencies disclose a project's significant environmental effects and provide mitigation whenever feasible. This environmental law covers a broad range of resources. With regard to wildlife and plants, those that are already listed by any State or Federal governmental agency are presumed to be endangered for the purposes of CEQA and impacts to such species and their habitats may be considered significant.

The project presented in this HCP may be subject to CEQA review, with the County of Santa Cruz as the lead agency. However, due to the small size of the proposed developments, and because of the existing residential development in the surrounding neighborhood, as well as the mitigation proposed in this HCP for the MHJB, the proposed projects are unlikely to reach a level of significance that would require a formal or more extensive CEQA review.

3.4 SANTA CRUZ COUNTY REGULATIONS

3.4.1 Santa Cruz County's General Plan and Code

Santa Cruz County's General Plan (1988) and its County Codes (16.32) identify protective measures for sensitive habitats and species. The County's on-line geographic information system (GIS) recognizes both the Lockewood Lane and Sugar Pine subdivision sites as occurring within a sensitive biotic habitat area, presumably Ponderosa Pine forest. This plant community is one of the special habitats protected by the County's General Plan (Chapter 5, Conservation and Open Space) and codes, specifically 16.32 for Sensitive Habitat Protection.

As was described in Section 2.1 of this HCP, Ponderosa Pines and Coast Live Oaks currently grow at both project sites and a total of nine pines and 15 oaks will be removed to accommodate the proposed new single-family homes. The majority of Ponderosa Pines and Coast Live Oaks at both sites will be protected by temporary construction fencing throughout the grading and construction periods and maintained as part of future landscaping for the new homes. The proposed projects will mitigate for the anticipated impacts to the Ponderosa Pines as described in Section 7.2 of this HCP.

3.4.2 Scotts Valley Fire District

Public Resources Code 4291 requires homeowners living in or adjacent to forest or brush-covered lands to maintain a firebreak of not less than 30 feet on all sides around all structures, or to the property line, whichever is nearer. The Scotts Valley Fire District enforces this code in the City of Scotts Valley and surrounding areas. See Section 7.1.6 of this HCP for a discussion of how this code affects the management of habitat at the project sites.

4.0 BIOLOGY

This chapter describes the existing biotic resource conditions at both the Lockewood Lane and Sugar Pine Road project sites. In addition, it discusses the one species addressed in this HCP, namely the MHJB (hereafter referred to as the covered species), which would be covered by the requested section 10(a) (1) (B) permit. The MHJB is federally-listed as endangered. Based on historical and recent observations, the MHJB is known to occur at both project sites and will be directly or indirectly affected by the planned residential development. This section summarizes available information about the taxonomy, identification, distribution, habitat, biology, and conservation of the covered species.

4.1 HABITATS

Habitat types at both project sites are described in the remainder of this section.

4.1.1 504 Lockewood Lane

Originally this property probably supported a Ponderosa Pine forest, but a single-family home was built there about 50 years ago. Other than 16 Coast Live Oak and 10 Ponderosa Pine trees, all other vegetation at the property consists of non-native plants used for landscaping. Table 1a lists the acreage for each habitat type, including existing, impacted, and protected acreages.

Table 1a. Habitat types of the Lockewood Lane project site and estimated acreages for existing, impacted, and maintained trees areas for each habitat type.		
Habitat Types	Habitat Acreages	
	Existing	Impacted
Degraded Ponderosa Pine Forest	0.666	0.666
Developed	0.189	0.189
Project Site Totals	0.855	0.855

4.1.2 701 Sugar Pine Road

Originally this property supported a Ponderosa Pine forest as it still has 18 Ponderosa Pine and 42 Coast Live Oak trees growing there. More recently the understory has become a nearly impenetrable thicket of broom (*Cytisus*) that covers the entire site. Table 1b lists the acreage for each habitat type, including existing, impacted, and protected tree areas.

Table 1b. Habitat types of the Sugar Pine Road project site and estimated acreages for existing, impacted, and protected tree areas for each habitat type.		
Habitat Types	Habitat Acreages	
	Existing	Impacted
Degraded Ponderosa Pine Forest	0.903	0.903
Developed	0.000	0.000
Project Site Totals	0.903	0.903

4.2 COVERED SPECIES: MOUNT HERMON JUNE BEETLE

The species addressed in this HCP and covered by its associated section 10(a) (1) (B) permit (hereinafter referred to as covered species) includes one federally-listed species, the MHJB. This endangered species is known to occur on the Sugar Pine Lane project site and is assumed to occur at the Lockewood Lane project site. It will be directly or indirectly affected by the proposed residential development projects. A brief discussion of the biology of this species and its occurrence at the project sites follows.

4.2.1 Conservation Status

The MHJB is a federally-listed endangered species. Throughout most of its range, the primary threats to the beetle are sand mining and urbanization. In a few instances, other types of land uses, such as agricultural conversion, recreation activities, plus pesticide use, alteration of fire cycles, and possibly even collectors, have also threatened the beetle. For these reasons, the beetle was recognized as an endangered species by the USFWS (1997) in 1997 and a recovery plan was published by the USFWS (1998) in 1998. Critical habitat has not yet been proposed by the USFWS for the MHJB.

The State of California does not recognize insects as endangered or threatened species pursuant to the State's Fish & Game Code. However, the MHJB does receive consideration under the California Environmental Quality Act (CEQA) since it satisfies the definition of a rare species under this statute.

4.2.2 Description and Taxonomy

The MHJB is a member of the family Scarabaeidae (Insecta: Coleoptera). Adult males measure about 0.75 inch in length and females are slightly longer. The adult male has a black head and dark brown elytra (leathery forewings) that are covered with brown hairs. The elytra also have stripes that are broken and irregular rather than continuous and well-defined as in related species of June beetles. Larvae are grub-shaped (scarabaeiform) and vary in color from cream to pale yellow for the body segments and darker brown for the head.

Cazier (1938) described the beetle from specimens collected at Mount Hermon, Santa Cruz County, California. The genus *Polyphylla*, which contains 28 species, was recently revised by Young (1988). Although the scientific name *Polyphylla barbata* has been used since its original description, the beetle has commonly been referred to as the Mount Hermon June beetle or the Barbate June beetle.

4.2.3 Distribution and Habitats

Of the 28 North American species of *Polyphylla*, 20 have restricted ranges, with 15 being endemic to isolated sand deposits (Young 1988). The MHJB is restricted to the Zayante sandy soils that are found in the Scotts Valley-Mount Hermon-Felton-Ben Lomond-Santa Cruz area of the Santa Cruz Mountains. Historically, MHJB localities were referred to as sandhills (Cazier 1938; Young 1988), but more recently this area has been called the Zayante Sandhills (USFWS 1998). Arnold (2004) reviewed museum specimens and other reported records for the beetle and determined that it had been observed at about 70 locations within this area.

Habitats in the Zayante sandhills where MHJB has been found include Northern

Maritime Chaparral, Ponderosa Pine Forest, Sand Parkland (which is a mixture of the aforementioned habitats with a shrub/subshrub and grass/forb understory), and mixed Deciduous-Evergreen Forest. In addition, adults have been found in disturbed sandy areas where remnants of these habitats still occur. Ponderosa Pine occurs at all known MHJB locations and for this reason has been a presumed larval food plant of the beetle. However, recent analyses of partially-digested plant fragments in fecal pellets of MHJB larvae by Kirsten Hill (2005) indicate that larvae feed on other plant species. Even if Ponderosa Pine is not a food plant, it is a useful indicator of suitable habitat for the MHJB.

4.2.4 Natural History

The MHJB is univoltine, i.e., it has only one generation per year. As its common name suggests, adult emergence and seasonal activity normally starts in May or June and continues through about mid-August; although, seasonal activity may vary from year to year depending on weather conditions. Adults are nocturnal, being active between about 8:45 and 9:30 pm. Adult males actively fly low to the ground in search of females, which are flightless. Presumably the female emits a pheromone for the males to find her.

Lifespan data from a brief capture-recapture study suggest that adult males live no longer than one week (Arnold 2004). Dispersal data from the same capture-recapture study indicate that most adult males are quite sedentary, with home ranges of no more than a few acres. Similar data on lifespan and dispersal of females is lacking at this time since they are so infrequently observed.

Specific life history information for the MHJB is unknown, but can be inferred from related species. Presumably the entire life cycle (egg, larva, pupa, and adult) takes two to three years to complete. The majority of the life cycle is spent as a subterranean larval stage that feeds on plant roots (Furniss and Carolin 1977).

4.2.5 Occurrence at the Project Sites and Vicinity

Arnold (2001, see Appendix A) conducted a presence-absence survey at the Sugar Pine Road project site and identified 45 adults of the MHJB there. Although a presence-absence survey was not performed at the Lockewood Lane project site, the MHJB is presumed to occur there because it has been found at several nearby properties in the surrounding Whispering Pines neighborhood (BUGGY Data Base 2006; California Natural Diversity Data Base 2006).

5.0 IMPACTS AND ENVIRONMENTAL COMPLIANCE

5.1 IMPACT ASSESSMENT

Both temporary and permanent impacts are anticipated to occur due to project-related activities at both project sites. The remainder of this section identifies the specific activities that could result in impacts to the MHJB as well as its habitat.

5.1.1 504 Lockewood Lane

Permanent impacts will primarily be confined to portions of the project site where the new residences, driveways, and other hardscape are constructed, which represents approximately 0.336- of the 0.855-acre project site. A 0.189-acre portion of the impact area supports an existing home, garage, carport, and driveway that will be demolished. These impacts will occur during demolition of the existing structures and driveway, as well as grading, excavation, and construction activities for the three new homes. Because of the degraded site condition and small size of the impact area, incidental take of the MHJB as a result of these activities is expected to be limited.

Lesser, temporary impacts to the endangered beetle are expected to occur throughout the remaining 0.519-acre at the project site during construction, during residential occupation of the new homes, and during revegetation and landscaping of the new yards upon completion of the construction activities. Temporary losses may also occur when the existing driveway is removed, when fencing to demarcate the maintained trees is installed, repaired, or ultimately removed.

The Scotts Valley Fire District will ultimately determine the fire clearance requirements, if any, for the new properties. According to the Fire District, fire clearance requirements depend on the type of construction materials used to build the structure, the location of the proposed structure within the building envelope, and the presence of sensitive habitat on site. At this time, it is anticipated that no additional fire clearance will be necessary within the impact area; however, it is possible that at a later date the Fire District may require clearing or pruning of vegetation between the new homes and the property boundaries.

To summarize, impacts to the MHJB and its habitat will occur during demolition and removal of the existing home, garage, carport and driveway, during grading of the site, as well as the installation of various improvements to the site associated with the construction of three new single-family residences. These impacts will be primarily restricted to the 0.336-acre portion of the site where the new structures and hardscape will be constructed. Additional permanent or temporary impacts may occur in other portions of the project site after construction has been completed. As discussed in greater detail in Section 7.0 of this HCP, these anticipated impacts at the project site will be offset by the purchase of 0.855 acre of MHJB conservation credits in prime sandhills habitat at the Ben Lomond Sandhills Preserve of the Zayante Sandhills Conservation Bank.

5.1.1 701 Sugar Pine Road

Permanent impacts will primarily be confined to portions of the project site where the new residences, driveways, and other hardscape will be constructed, which represents approximately 0.378 of the 0.903-acre project site. These impacts will occur during grading, excavation, and construction activities for the three new homes. Because of the degraded site condition and small

size of the impact area, incidental take of the MHJB as a result of these activities is expected to be limited.

Lesser, temporary impacts to the endangered beetle are expected to occur throughout the remaining 0.525 acre at the project site during construction, during residential occupation of the new homes, and during revegetation and landscaping of the new yards upon completion of the construction activities. Temporary losses may also occur when fencing to demarcate the maintained trees is installed, repaired, or ultimately removed.

The Scotts Valley Fire District will ultimately determine the fire clearance requirements, if any, for the new properties. According to the Fire District, fire clearance requirements depend on the type of construction materials used to build the structure, the location of the proposed structure within the building envelope, and the presence of sensitive habitat on site. At this time, it is anticipated that no additional fire clearance will be necessary within the impact area; however, it is possible that at a later date the Fire District may require clearing or pruning of vegetation between the new homes and the property boundaries.

To summarize, impacts to the MHJB and its habitat will occur during grading of the site, as well as the installation of various improvements to the site associated with the construction of three new single-family residences. These impacts will be primarily restricted to the 0.378-acre portion of the site where the new structures and hardscape will be constructed. Additional permanent or temporary impacts may occur in other portions of the project site after construction has been completed. As discussed in greater detail in Section 7.0 of this HCP, the anticipated impacts at the project site will be offset by the purchase of 0.903 acre of MHJB conservation credits in prime sandhills habitat at the Ben Lomond Sandhills Preserve of the Zayante Sandhills Conservation Bank.

5.2 DIRECT AND INDIRECT EFFECTS

Although, direct and indirect impacts to the MHJB as well as its preferred habitat at both project sites are expected to be minimal, incidental take of this endangered species will occur throughout both project sites. As previously discussed in this HCP, both project sites are situated in a region where nearby parcels support stands of suitable habitat and populations of the MHJB. However, immediately surrounding properties have been developed for residential and golf course uses, so habitat values have been degraded. The only native vegetation remaining at the project sites are Ponderosa Pine and Coast Live Oak trees, but Zayante sands occur throughout both sites. Although the loss of very degraded habitat at both project site will be permanent, the applicant will purchase conservation credits in the form of 1.758 acres of prime habitat at the Ben Lomond Sandhills Preserve that is known to support the MHJB.

5.3 CUMULATIVE EFFECTS

Development of the six new homes will result in minor cumulative impacts to the MHJB. Even though as much as 1.758 acres of landscaping, invasive plants, and degraded Ponderosa Pine forest habitat will be permanently removed along with small numbers of MHJB, these losses are not expected to affect the range-wide survival of the beetle due to the occurrence and abundance of this species and its habitat at nearby locations, as well as elsewhere throughout its entire geographic range. Indeed, the impacted acreage as well as acreage supporting the

maintained trees at both project sites will be compensated through the permanent protection of prime habitat at a conservation bank that is known to support the endangered beetle.

Since MHJB has been observed inhabiting soils in residential yards that occur in close proximity to the project sites (Arnold 2004), it can presumably co-exist in such habitat once soil disturbance has ceased. Thus, some MHJBs may recolonize portions of both project sites, such as the yards, where loose, sandy soils remain after all site improvements have been completed.

5.4 EFFECTS ON CRITICAL HABITAT

Critical habitat has not been designated for the MHJB. Both project sites and the conservation bank are located within the zones of critical habitat (USFWS 2001) for the federally-listed endangered Zayante Band Winged Grasshopper (*Trimerotropis infantilis*). The Zayante band-winged grasshopper was not covered in this HCP because it does not occur at either project site.

6.0 TAKE OF THE COVERED SPECIES

Since there are no accurate estimates of the numbers of MHJB that reside at either project site, it is not possible to quantify the exact number of individual animals that could be taken by the removal of its degraded habitat at both project sites. In addition, beetle eggs, larvae, pupae, or adults may be taken may be injured or killed during initial grading activities or by construction equipment and vehicles. Similarly, an undetermined number of MHJBs could be injured or killed during demolition of the existing home at the Lockewood Lane project site. An undetermined, but limited number of life stages of the MHJB may be injured or killed during tree protection and maintenance activities at both project sites, in particular, during the removal of non-native plants.

For these reasons, the level of incidental take of the MHJB is expressed as the affected acreage at each project site. Incidental take of MHJB could result from removal of a total of 1.758 acres of degraded habitat at both project sites.

For Lockewood Lane, the level of incidental take requested is 0.855 acre, which is the entire project site. This request covers all activities at the project site that may result in potential take of the MHJB, including the demolition of the existing home and associated site improvements and construction of the three new homes. This incidental take request also includes not only the areas where new structures and other hardscape that will be constructed, but also the maintained tree areas because the applicant cannot guarantee that these trees will remain at the site in perpetuity.

For Sugar Pine Road, the level of incidental take requested is 0.903 acres, which is the entire project site. This incidental take also includes not only the proposed impact areas, but also the maintained tree areas because the applicant cannot guarantee that these trees will remain at the site in perpetuity.

The level of take of the MHJB at both project sites, as described above, is expected to have negligible effects on the species' overall survival. This is because the actual number of animals incidentally taken will be very low, the percentage of the species habitat relative to the species entire geographic range is very small, and its relative importance to the species, both regionally and throughout its range, is thought to be minor. For these reasons, the amount of take of the MHJB at both project sites is considered negligible.

The maximum levels of take of the MHJB anticipated to occur under this HCP, and hereby requested for authorization are as follows:

any MHJB that may be taken (killed, injured, harmed, harassed or captured) that may be adversely affected as a result of the following activities occurring within the boundaries of the 0.855-acre project site at 504 Lockewood Lane and the 0.903-acre project site at 701 Sugar Pine Road during the following covered activities:

- a) any demolition activities to remove the existing home, garage, carport, and driveway at 504 Lockewood Lane;

- b) any grading and construction operations including, but not limited to, use of any equipment, vegetation removal, trampling of vegetation, compaction of soils, ground disturbance, grading, installation of drainage and irrigation systems, or creation of dust;
- c) any permanent loss of habitat as a result of development of infrastructure including, but not limited to buildings, roads, sidewalks, swimming pools, or installation of utilities, drainage and irrigation systems;
- d) any activities to manage or enhance habitat including, but not limited to leveling ground, creating bare ground, planting vegetation, watering vegetation, or removal of exotic plant species;
- e) any activities associated with habitat management and enhancement of the maintained tree areas, including but not limited to removal of exotic plant species, installation and repair of fences or signs, or other activities required in the HCP; and
- f) any activities associated with future occupancy of the new homes, such as night lighting which may be attractive to MHJBs, use of bug zappers, etc.

These incidental take limits are subject to full implementation of all minimization and mitigation measures described in Section 7.0 of this HCP. If any of these take limits are exceeded, the permittee shall cease all construction and habitat management operations and contact the USFWS immediately.

7.0 MINIMIZATION AND MITIGATION MEASURES

The following measures have been incorporated into the proposed projects to minimize and mitigate potential incidental take of the MHJB. Successful implementation of these measures conducted prior to, concurrent with, and following subdivision development, will enable both projects to achieve their biological goals.

7.1 MINIMIZATION MEASURES DURING CONSTRUCTION

The following minimization measures will be implemented during the construction related activities at both project sites.

7.1.1 Construction Monitor

A person knowledgeable about the MHJB and its habitats, and approved by the USFWS, shall be present during initial demolition, grading, and excavation activities (i.e., clearing of vegetation and stripping of the surface soil layer). The monitor shall be present on site beginning with the installation of temporary fencing around the protected tree areas prior to clearing of vegetation elsewhere at the project site and demolition of the existing home, and shall conduct inspections of the project sites on an as-needed basis during the initial demolition and grading periods to ensure compliance with the minimization measures provided in this HCP. The monitor will also periodically visit the project sites throughout the entire construction period to insure that no impacts occur in the protected tree areas of each project site. The monitor shall have authority to immediately stop any activity that does not comply with this HCP, and to order any reasonable measures to avoid the MHJB.

7.1.2 Delineation and Protection During Construction of the Maintained Tree Areas

Prior to the initiation of any demolition, grading or other work at either project site, the permittee, in conjunction with the construction monitor, will install a temporary fence along the boundaries of the maintained tree areas to minimize any disturbance to these portions of each site by demolition, grading, excavation, or other construction-related activities during construction of the new homes. Warning signs will be posted on the temporary fencing to alert grader and excavator operators, plus other construction workers not to proceed beyond the fence. All protective fencing will remain in place until all construction and other site improvements have been completed. Signs will include the following language:

"NOTICE: SENSITIVE HABITAT AREA. GRADING PROHIBITED."

All equipment operators and field supervisors will attend a pre-construction conference to be conducted by the construction monitor. The purpose of the conference will be to inform all demolition, grading and construction workers of the presence of endangered species on and adjacent to the project site, conduct a site visit to show participants where demolition and grading can and cannot occur, identify appropriate dust control measures, inform operators of appropriate protocol should they encounter the MHJB during demolition, grading and construction activities, and to advise operators of the penalties they may incur if harm to either endangered species or the protected tree areas occurs.

The construction monitor will routinely inspect both sites and oversee activities on a

regular basis during the demolition and grading. Should any violation occur, a "stop work" order will be immediately issued. The Ventura office of the USFWS will be contacted and the "stop work" order will remain in effect until the issue is resolved.

7.1.3 Construction and Operational Requirements

All project-related parking and equipment storage shall be confined to the impact area or existing paved roads in the adjacent neighborhood. Project-related vehicle traffic shall be restricted to established roads that service the impact area.

7.1.4 Contractor and Employee Orientation

The construction monitor shall conduct an orientation program for all persons who will work on-site during construction. The program will include a brief presentation from a person knowledgeable about the biology of the MHJB, its habitats, and the terms of the HCP. The purpose of the orientation will be to inform equipment operators and field supervisors of the work limits for demolition activities, grading limits, and construction activity restrictions, and to identify other habitat protection and work procedures.

If any life stages of the MHJB are observed within the impact area at either project site during construction-related activities, the construction monitor will advise all construction personnel to immediately halt work. The construction monitor will contact the Ventura Field Office of the USFWS for guidance before any work at the project site resumes.

7.1.5 Access to Project Site

The permit holder shall allow representatives from the USFWS access to both project sites to monitor compliance with the terms and conditions of this HCP

7.1.6 Vegetation Management of the Maintained Tree Areas

To the extent practical, the permittee intends to maintain selected native trees at both project sites and revegetate the understories of the maintained tree areas with plants indigenous to the sandhills. Figures 4a and 4b illustrate the maintained trees at the Lockewood Lane and Sugar Pine Road project sites. However, because of the uncertainty about future vegetation pruning or clearing activities that may be required by the Scotts Valley Fire District, these portions of both project sites cannot be permanently protected. Also, they are too small and too scattered across both properties for a land trust to accept a conservation easement for their protection. Finally, no post-construction monitoring will occur in the maintained tree areas at either project site. It is for these reasons that off-site mitigation is being utilized to compensate for all of the anticipated project-related impacts.

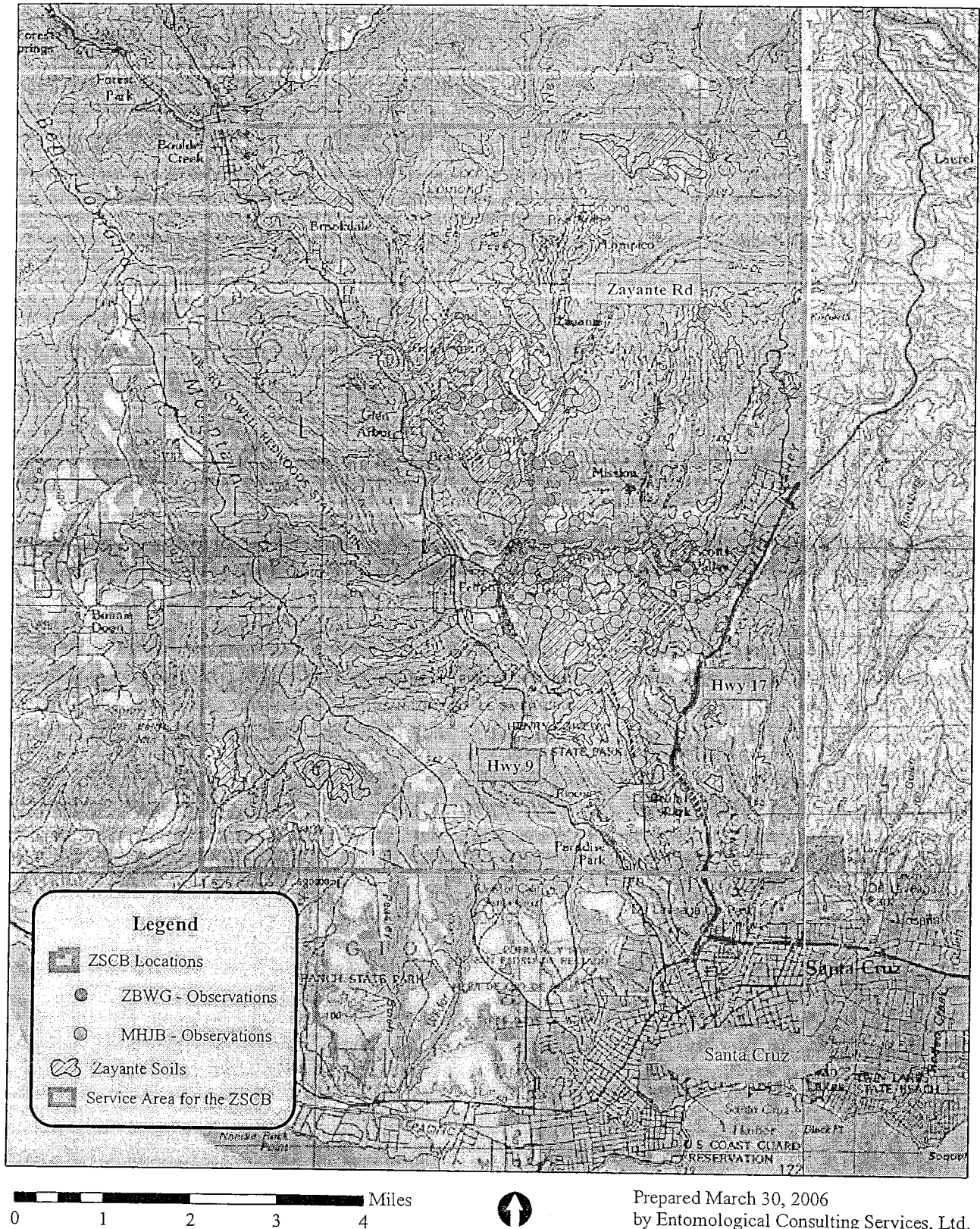
7.2 MITIGATION PLAN

Mr. Hochler will compensate for MHJB habitat that will be eliminated due to development of Lockewood Lane by purchasing 0.855 acre of MHJB conservation credits and at Sugar Pine Road Lane by purchasing 0.903 acre of MHJB conservation credits from the Zayante Sandhills Conservation Bank, a USFWS-approved MHJB conservation bank. This level of mitigation (i.e., conservation credits) is clearly commensurate with the level of impacts to MHJB habitat at the project sites; however, because the conservation value of the bank habitat is much greater than that at both project sites.

Figure 5 is a map that illustrates the location of the Ben Lomond Sandhills Preserve of the Zayante Sandhills Conservation Bank operated by PCO, LLC and its service area. A copy of the sales agreement between Mr. Hochler and PCO, LLC is attached to this HCP as Appendix B.

The operator of the conservation bank, PCO, LLC, will be responsible for all species monitoring, habitat management, and other conservation related activities that occur at the Ben Lomond Sandhills Preserve. An annual monitoring report will be prepared for submission to the USFWS and the County of Santa Cruz. The responsibility for preparing the annual monitoring report and the information that will be included in the report are described in Section 8.7.2 of this HCP.

Figure 5. Service Area for the ZSCB:
Insect Observations, Zayante Soils and ZSCB Bank Preserves
Palo Alto, San Jose & Monterey (USGS 1:100,000 scale) maps = base map



8.0 PLAN IMPLEMENTATION

8.1 BIOLOGICAL GOALS AND OBJECTIVES

The overall primary biological goal of this HCP is to replace the degraded MHJB habitat on 1.758 acres impacted by the proposed construction of six new residences at the two project sites. This will be accomplished by purchasing 1.758 acres of MHJB conservation credits from the USFWS-approved Zayante Sandhills Conservation Bank, which also contributes to a regional preserve design to benefit the MHJB. Secondly, the permittee will implement several measures during demolition, grading, and construction to minimize impacts to the endangered MHJB at both project sites.

8.2 IDENTIFICATION OF PROJECT REPRESENTATIVE

The designated representative is Mr. Rick Hochler, 325 Canham Road, Scotts Valley, CA 95066, (831) 439-8990 work and fax, or (831) 818-0919 (mobile). Mr. Hochler's email address is hochwave@sbcglobal.net. The USFWS shall be notified in writing if a substitute representative is designated.

8.3 IDENTIFICATION OF CONSTRUCTION AND BIOLOGICAL MONITORS

Subject to approval by the USFWS, William Davilla will be the construction monitor on the project site. Duties of the construction monitor are provided in Section 7.1 of this HCP. He can be contacted at the EcoSystems West Consulting Group, 819 ½ Pacific Avenue, Suite #4, Santa Cruz, CA 95060, phone (831) 429-6730, fax (831) 429-8742, cell phone (831) 818-4502, and via email at davilla@email.msn.com.

The Zayante Sandhills Conservation Bank will be responsible for biological monitoring of the conservation bank site only. Mr. Paul Burrowes is the Managing Member of the ZSCB and can be contacted at: 24650 Glenwood Drive, Los Gatos, CA 95033, (408) 497-3989 voice and (408) 353-4336 (fax), or by email at paul@zayantesandhills.com

8.4 SCOPE

This HCP covers two project sites separated by one block in the County of Santa Cruz. The Lockewood Lane project site measures 0.855 acre and is located at 504 Lockewood Lane in Scotts Valley (mailing address), as described in Section 2.0 of this HCP. The Sugar Pine Road project site measures 0.903 acres and is located at 701 Sugar Pine Road in Scotts Valley (mailing address). The mitigation site is the Ben Lomond Sandhills Preserve of the Zayante Sandhills Conservation Bank. It is located off of Hihn Road in Ben Lomond. This HCP covers activities only within the Lockewood Lane and Sugar Pine Road project sites, as PCO, LLC is a USFWS-approved conservation bank operator for the MHJB.

8.5 RESPONSIBILITIES

As specified in the USFWS' (1996) Habitat Conservation Planning Handbook, an Implementing Agreement (IA) is not required for low-effect HCPs unless requested by the permit applicant. Mr. Hochler understands that it is responsible for implementing this HCP in accordance with the specifications for mitigation and funding.

Mr. Hochler will satisfy his mitigation responsibilities by the purchase of 1.758 acres of

MHJB conservation credits from PCO, LLC, operator of the Zayante Sandhills Conservation Bank. The mitigation site is the Ben Lomond Sandhills Preserve of the aforementioned bank.

Habitat at the Ben Lomond Sandhills Preserve is protected in perpetuity via a conservation easement held by the Center for Natural Lands Management. PCO, LLC is responsible for annual monitoring and reporting, as described herein, and in the management agreement at the bank site and will complete all obligations assigned to it within the section 10 permit and this HCP. Mr. Hochler's responsibilities for the mitigation will be completed upon the purchase of the conservation credits. A copy of the completed sales agreement is in Appendix B. However, Mr. Hochler will still be responsible for ensuring that all minimization measures are completed, reports are submitted on time, as well as any other terms and conditions that may be included in the incidental take permit.

8.6 PLAN DURATION

Mr. Hochler seeks a five-year permit from the USFWS to cover those activities associated with the incidental take of MHJB at the Lockewood Lane and Sugar Pine Road project sites. The five-year period is necessary to allow adequate time for construction of all six residences. Since MHJB conservation credits have been purchased from PCO, LLC, the operator of the conservation bank will assume all responsibilities for implementation of the required mitigation. The permit will expire once Mr. Hochler has fulfilled all of his responsibilities.

8.7 REPORTING

8.7.1 Post-Construction Compliance Report

A post-construction compliance report prepared by the construction monitor shall be forwarded to the Ventura Office of the USFWS and the County of Santa Cruz (Planning Department) within 60 calendar days of the completion of construction. This report shall provide the following information:

- 1) dates that construction occurred;
- 2) pertinent information concerning the permittee's success in meeting the project's minimization measures;
- 3) an explanation of failure to meet such measures, if any;
- 4) known project effects on federally-listed species, if any;
- 5) occurrences of incidental take of federally listed species, if any; and
- 6) other pertinent information.

If one of the two project sites is constructed and completed before the other project, then two separate post-construction compliance reports should be prepared, i.e., one for each project site.

8.7.2 Annual Mitigation Monitoring Reports

PCO, LLC must submit an annual monitoring report to the Ventura office of USFWS, describing activities performed to benefit the MHJB as part of its agreement to sell conservation credits and operate a conservation bank. Thus, monitoring reports will be prepared annually by the biological monitor, PCO, LLC. This report shall be submitted to USFWS by December 31st of the monitoring year. This report shall include:

- 1) an assessment of the condition of the habitat at the conservation bank site;
- 2) survey dates and results of MHJB monitoring, if performed;
- 3) a brief discussion of other monitoring efforts that occurred during the past year;
- 4) description of incidental take occurrences;
- 5) description of habitat management activities performed during the past year
- 6) identify any problems and any corrective measures undertaken to insure that the biological goals are met;
- 7) recommendations to solve existing or anticipated problems; and
- 8) copies of any photos used for photo-documentation purposes.

8.8 FUNDING

Mr. Hochler is responsible for the full cost of the 1.758 acres of MHJB conservation credits as well as the minimization measures described in Section 7.1 and Tables 2a and 2b of this HCP. A copy of the sales agreement for the purchase of the 1.758 MHJB conservation credits is attached as Appendix B. PCO, LLC will assume all responsibilities for funding of annual maintenance of the Ben Lomond Sandhills Preserve and the fulfillment of all monitoring and reporting activities.

**Table 2a. Costs of Minimization and Mitigation Measures
for the Lockewood Lane Project**

Mitigation and Minimization Activities	Unit Cost	Total Cost
Mitigation Activities:		
Purchase 0.855 MHJB conservation credits	\$6.00/ft. ² /credit	\$223,463 ^a
Minimization Activities:		
Biological Monitor	\$3,000	\$3,000
Protective Fencing & Signs	TBD	TBD
Dust Control Measures	TBD	TBD
	Grand Total Cost	\$226,463 + TBD

Note: ^a – an as yet to be determined administration fee may be charged

**Table 2b. Costs of Minimization and Mitigation Measures
for the Sugar Pine Road Project**

Mitigation and Minimization Activities	Unit Cost	Total Cost
Mitigation Activities:		
Purchase 0.903 MHJB conservation credits	\$6.00/ft. ² /credit	\$236,064 ^a
Minimization Activities:		
Biological Monitor	\$3,000	\$3,000
Protective Fencing & Signs	TBD	TBD
Dust Control Measures	TBD	TBD

	Grand Total Cost	\$239,064 + TBD
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Note: ^a – an as yet to be determined administration fee may be charged

9.0 CHANGED AND UNFORSEEN CIRCUMSTANCES

Federal regulations pursuant to section 10(a)(1)(B) of the ESA [50 CFR 17.22 (b)(2)(iii)] require that an HCP specify the procedures to be used for dealing with changed and unforeseen circumstances that may arise during the implementation of the HCP. In addition, the Habitat Conservation Plan Assurances (No Surprises) Rule [50 CFR 17.22 (b)(5) and 17.32 (b)(5);(6); 69 Federal Register 71723, December 10, 2004] defines changed and unforeseen circumstances and describes the obligations of the permittee and the USFWS. The purpose of the Assurances Rule is to provide assurances to non-Federal landowners participating in habitat conservation planning under the ESA that no additional land restrictions or financial compensation will be required for species adequately covered by a properly implemented HCP, in light of unforeseen circumstances, without the consent of the permittee.

9.1 CHANGED CIRCUMSTANCES

Changed circumstances are defined as changes in circumstances affecting a species or geographic area covered by an HCP that can reasonably be anticipated by plan developers and the USFWS and for which contingency plans can be prepared (e.g., the new listing of a species, a fire, or other natural catastrophic event in areas prone to such an event). If additional conservation and mitigation measures are deemed necessary to respond to changed circumstances and these additional measures were already provided for in the plan's operating conservation program (e.g., the conservation management activities or mitigation measures expressly agreed to in the HCP or IA), then the permittee will implement those measures as specified in the plan as may be reasonable. However, if additional conservation and mitigation measures are deemed necessary to respond to changed circumstances and such measures were not provided for in the plan's operating conservation program, the USFWS will not require these additional measures as far as the HCP has been "properly implemented" (properly implemented means the commitments and the provisions of the HCP and the IA have been or are being reasonably implemented).

If a new species that is not covered by the HCP but that may be affected by activities covered by the HCP is listed under the Federal ESA during the term of the section 10 (a)(1)(B) permit, the permit may be reevaluated by the USFWS and the HCP covered activities may be modified, as reasonable, to insure that the activities covered under the HCP will not result in take of the newly listed species. The permittee shall implement reasonable modifications to the HCP covered activities identified by the USFWS as necessary to avoid the likelihood of take of the newly listed species. The permittee shall continue to implement reasonable modifications until such time as the permittee has applied for and the USFWS has approved an amendment of the section 10 (a)(1)(B) permit, in accordance with applicable statutory and regulatory requirements, to cover the newly listed species or until the USFWS notifies the permittee in writing that the modifications to the HCP covered activities are no longer required to avoid the likelihood of take of the newly listed species. If the USFWS, in consultation with the permittee, determines that the project-related activities cannot be modified to avoid take of a species not covered under the HCP, then the permittee shall cease any activities that may result in take of any species not covered under the HCP until a permit amendment has been issued.

As to other potential changed circumstances, Mr. Hochler has applied for incidental take

of the MHJB for the entire 0.855 Lockewood Lane project site and the entire 0.903 acre Sugar Pine Road project site. Therefore, it does not anticipate that any additional changed circumstances will occur during the life of the permit on either project site that will result in unanticipated levels of take of the covered species. Additional changed circumstances; e.g., wildfire, erosion, extended drought, earthquake or other natural disaster, may occur at the off-site conservation bank. However, the short duration of the permit (i.e., five years) lessens the likelihood that one of these phenomena may cause substantial changes to the off-site conservation bank during the permit period. Furthermore, some types of changed circumstances, for example a wildfire, may actually enhance habitat values in the long term because Ponderosa Pine is adapted to, and regenerate well after such fires. Winter storms or earthquakes could cause landslide or erosion problems in habitat areas that would require subsequent repairs, such as slope stabilization, repair of fencing, and revegetation. A portion of the fees paid by Mr. Hochler to PCO, LLC for the MHJB conservation credits include contingency funds to cover the costs of unexpected repairs, or habitat restoration that may be required as a result of any natural disasters occurring at the off-site conservation bank.

9.2 UNFORESEEN CIRCUMSTANCES

Unforeseen circumstances are defined as changes in circumstances that affect a species or geographic area covered by the HCP that could not reasonably be anticipated by plan developers and the USFWS at the time of the plan's negotiation and development and that result in a substantial and adverse change in status of the covered species. The purpose of the Assurances Rule is to provide assurances to non-Federal landowners participating in habitat conservation planning under the ESA that no additional land restrictions or financial compensation will be required for species adequately covered by a properly implemented HCP, in light of unforeseen circumstances, without the consent of the permittee.

In the case of an unforeseen event, Mr. Hochler or the current permit holder shall immediately notify the USFWS staff who have functioned as the principal contacts for the proposed action. In determining whether such an event constitutes an unforeseen circumstance, the USFWS shall consider, but not be limited to, the following factors: size of the current range of the affected species; percentage of range adversely affected by the HCP; percentage of range conserved by the HCP; ecological significance of that portion of the range affected by the HCP; level of knowledge about the affected species and the degree of specificity of the species' conservation program under the HCP; and whether failure to adopt additional conservation measures would appreciably reduce the likelihood of survival and recovery of the affected species in the wild.

If the USFWS determines that the unforeseen circumstance will affect the outcome of the HCP, additional conservation and mitigation measures may be necessary. Where the HCP is being properly implemented and an unforeseen circumstance has occurred, the additional measures required of the permittee must be as close as possible to the terms of the original HCP and must be limited to modifications within any conserved habitat area or to adjustments within lands or waters that are already set aside in the HCP's operating conservation program. Additional conservation and mitigation measures shall not involve the commitment of additional land or financial compensation or restrictions on the use of land or other natural resources otherwise available for development or use under the original terms of the HCP without the

consent of the permittee. Resolution of the situation shall be documented by letters between the USFWS, Mr. Hochler, and the conservation bank operator.

Thus, in the event that unforeseen circumstances adversely affecting the MHJB occur during the term of its permit, Mr. Hochler would not be required to provide additional financial mitigation or implement additional land use restrictions above those measures specified in the HCP, provided that the HCP is being properly implemented. This HCP expressly incorporates by reference the permit assurances set forth in the Habitat Conservation Plan Assurances ("No Surprises") Rule revised by the USFWS and published in the Federal Register on December 10, 2004 (50 CFR Part 17).

10.0 PERMIT AMENDMENT/RENEWAL PROCESS

10.1 AMENDMENTS TO THE PERMIT

At this time there is no reason to expect that an amendment to the take permit will be needed to complete the development of Lockewood Lane or Sugar Pine Road project sites. However, during the specified permit period, amendment of the section 10(a)(1)(B) permit for Mr. Hochler's projects would be required for any of the following changes:

- a) significant revision of the permit area boundary;
- b) the listing under the ESA of a new species not currently addressed in this HCP that may be taken by project activities;
- c) modification of any important project action or mitigation component under the HCP, including funding, that may significantly affect authorized take levels, effects of the project, or the nature or scope of the mitigation program; or
- d) any other modification of the project likely to result in significant adverse effects to the MHJB not addressed in the original HCP and permit application.

Amendment of the section 10(a)(1)(B) permit would be treated in the same manner as an original permit application. Permit amendments typically require a revised HCP, a permit application form and application fee, an Implementing Agreement, a NEPA document, and a 30-day public comment period. However, the specific documentation needed in support of a permit amendment may vary, depending on the nature of the amendment. If the permit amendment qualifies as a low-effect HCP, an Implementing Agreement and NEPA document would not be needed.

10.2 AMENDMENTS TO THE HCP

This HCP may, under certain circumstances, be amended without amending its associated permit, provided that such amendments are of a minor or technical nature and that the effect on the species involved and the levels of take resulting from the amendment are not significantly different from those described in the original HCP. Examples of minor amendments to the HCP for Mr. Hochler's Lockewood Lane and Sugar Pine Road projects that would not require permit amendment include:

- a) minor revisions to monitoring or reporting protocols;
- b) minor revisions of the HCP's plan area or boundaries; and
- c) minor revisions in project design and construction procedures.

To amend the HCP without amending the permit, the permittee must submit to the USFWS in writing a description of the proposed amendment, an explanation of why the amendment is necessary or desirable, and an explanation of why the effects of the proposed amendment are believed not to be significantly different from those described in the original HCP. If the USFWS concurs with the amendment proposal, it shall authorize the HCP amendment in writing, and the amendment shall be considered effective upon the date of the USFWS's written authorization.

10.3 PERMIT RENEWAL

Upon expiration, the section 10(a)(1)(B) permit may be renewed without the issuance of a new permit, provided that the permit is renewable, and that biological circumstances and other

pertinent factors affecting MHJB are not significantly different than those described in the original HCP. To renew the permit, Mr. Hochler shall submit in writing to the USFWS at least 30 days prior to expiration of this permit:

- a request to renew the permit;
- reference to the original permit number;
- certification that all statements and information provided in the original HCP and permit application, together with any approved HCP amendments, are still true and correct, and inclusion of a list of changes;
- a description of any take that has occurred under the existing permit; and
- a description of any portions of the project still to be completed, if applicable, or what activities under the original permit the renewal is intended to cover.

If the USFWS concurs with the information provided in the request, it shall renew the permit consistent with permit renewal procedures required by Federal regulation (50 CFR 13.22). If Mr. Hochler files a renewal request and the request is on file with the issuing USFWS office at least 30 days prior to the permit's expiration, the permit shall remain valid while the renewal is being processed, provided the existing permit is renewable. However, Mr. Hochler may not take listed species beyond the quantity authorized by the original permit. If Mr. Hochler fails to file a renewal request within 30 days prior to permit expiration, the permit shall become invalid upon expiration. Mr. Hochler and the conservation bank operator must have complied with all annual reporting requirements to qualify for a permit renewal.

10.4 PERMIT TRANSFER

Although the sale or transfer of ownership of the property is not expected to occur during the life of the permit, should it occur, a new permit application, permit fee, and an Assumption Agreement will be submitted to the USFWS by the new owner(s). The new owner(s) will commit to all requirements regarding the take authorization and mitigation obligations of this HCP unless otherwise specified in the Assumption Agreement and agreed to in advance with the USFWS.

11.0 ALTERNATIVES CONSIDERED

11.1 ALTERNATIVE #1: NO-ACTION

Under the No-Action Alternative, development of 504 Lockewood Lane and 701 Sugar Pine Road would not occur and Mr. Hochler would not implement an HCP or receive a section 10(a)(1)(B) incidental take permit from the USFWS. The existing single-family home would remain at the Lockewood Lane project site but no additional homes would be built.

However, potential impacts to the covered species may be greater in the absence of this HCP. Currently, habitat conditions at both project sites are very degraded due to the presence and abundance of various non-native plants. Without the HCP, habitat quality would probably continue to decline and no prime habitat at the conservation bank would be acquired to benefit the covered species. Therefore, the No-Action Alternative is concluded to be of lesser conservation value to the covered species than the proposed projects and accompanying HCP. It would also result in unnecessary economic burden on the applicant. For these reasons, the No-Action Alternative has been rejected.

11.2 ALTERNATIVE #2: REDESIGNED PROJECT (REDUCED TAKE)

Under this alternative, the development footprints of the Lockewood Lane and Sugar Pine Road projects would be reduced at each project site, thereby reducing the loss of potential habitat for the MHJB. Although a section 10(a)(1)(B) permit would still be required, biological impacts, including loss of MHJB habitat, associated with this alternative would still result, but would be reduced in magnitude. A reduction in the proposed residential developments would not significantly improve onsite habitat conditions for the MHJB. Also, incidental take of MHJB could still occur during initial grading activities. As the project sites are situated in a developed residential neighborhood and together measure only 1.758 acres, relocation of some new homes and other amenities is not practical. Thus, the gains in reduction of take of the covered species and reduced modification of the covered species habitat would not be significant; furthermore this alternative would also result in unnecessary economic burdens to the applicant. For these reasons, the Reduced Take Alternative has been rejected.

11.3 ALTERNATIVE #3: PROPOSED ACTION (PERMIT ISSUANCE)

Under the Proposed Action Alternative, Mr. Hochler would develop the Lockewood Lane and Sugar Pine Road project sites as described in Section 2.0 of this HCP. The Proposed Action Alternative would require the issuance of a section 10(a)(1)(B) permit to allow construction of the project. The project would result in the loss of approximately 1.758 acres of degraded habitat for the MHJB. However, conservation measures as proposed in the HCP would result in greater habitat value for the endangered beetle than currently exists on either project site, due to the degraded habitat quality and the presence of exotics that can out compete the food plant(s) of the MHJB. The Proposed Action thus provides greater habitat conservation benefits than the No Action and Redesigned Project Alternatives, and also best meets the needs of the applicant. Therefore, the Proposed Action is the preferred alternative.

12.0 HABITAT CONSERVATION PLAN PREPARERS

Dr. Richard A. Arnold prepared this HCP. Dr. Arnold is an entomologist and the President of Entomological Consulting Services, Ltd., of Pleasant Hill, CA. Paul Burrowes is the Managing Member of PCO, LLC, provided the cost information for the purchase of conservation credits from the Zayante Sandhills Conservation Bank. Mr. William C. Kempf is the project architect and provided the site plans (Figures 3a and 3b) and tree maps (Figures 4a and 4b).

13.0 REFERENCES CITED

Arnold, R.A. 2001. Letter report on MHJB presence-absence survey for 701 Sugar Pine Road in Scotts Valley, CA. Letter dated 11 July 2001 and addressed to Mr. Randy Kanawyer. 3 pp.

Arnold, R.A. 2004. Mount Hermon June Beetle. Pp. 92-99. IN, McGraw, J.M., *The Sandhills Conservation and Management Plan: a strategy for preserving native biodiversity in the Santa Cruz sandhills*. Prepared for The Land Trust of Santa Cruz County.

Bowman, R.H., and D.C. Estrada. 1980. Soil survey of Santa Cruz County, California. U.S. Dept. of Agriculture and Soil Conservation Service in cooperation with the University of California, Agricultural Experiment Station Publication. 148 pp. & maps.

BUGGY Data Base. 2006. Sensitive species report for the Felton 7.5' USGS topographic quadrangle.

California Natural Diversity Data Base. 2006. Sensitive species report for the Felton 7.5' USGS topographic quadrangle. California Department of Fish & Game.

Cazier, M.A. 1938. A new California *Polyphylla* with notes concerning the variability of certain characters within the genus. The Pan-Pacific Entomologist 14:161-164.

Furniss, R.L. and V.M. Carolin. 1977. Western forest insects. U.S. Dept. of Agriculture, Forest Service. Misc. Publication No. 1339. Washington, D.C. 654 pp.

Hill, K. 2005. A picky pallete? The host plant selection of an endangered beetle. Master of Science thesis. San Jose State University. 83 pp.

Santa Cruz County. 1988. Santa Cruz County General Plan.

U.S. Fish and Wildlife Service and National Marine Fisheries Service. 1996. Endangered Species Habitat Conservation Handbook. November, 1996.

U.S. Fish & Wildlife Service. 1997. Endangered and threatened wildlife and plants; determination of endangered status for two insects from the Santa Cruz Mountains of California. Federal Register 62:3616-3628.

U.S. Fish & Wildlife Service. 1998. Recovery plan for two insects (*Polyphylla barbata* and *Trimerotropis infantilis*) and four plants (*Chorizanthe pungens* var. *hartwegiana*, *Chorizanthe robusta* var. *hartwegii*, *Erysimum teretifolium*, and *Polygonum hickmanii*). Portland, OR. 83 pp.

U.S. Fish & Wildlife Service. 2001. Endangered and threatened wildlife and plants: final determination of critical habitat for the endangered Zayante Band-Winged grasshopper. Federal Register 66:9219-9233.

Young, R.M. 1988. A monograph of the genus *Polyphylla* Harris in America north of Mexico (Coleoptera: Scarabaeidae: Melolonthinae). Bulletin of the University of Nebraska State Museum 11 (2): 115 pp.

14.0 APPENDIX A: Mount Hermon June Beetle Survey Report

Richard A. Arnold, Ph.D.
President

COPY

Entomological Consulting Services, Ltd.

104 Mountain View Court, Pleasant Hill, CA 94523 • (925) 825-3784 • FAX 827-1809
-bugdctr@home.com • www.ecsltd.com-

11 July 2001

Mr. Randy Kanawyer
2923 Granite Creek Road
Scotts Valley, CA 95066

RE: Report on Mount Hermon June Beetle Survey for APN 67-412-06 (new 067-581-07)
Located on Sugar Pine Drive in Scotts Valley, CA

Dear Randy:

This letter reports on the findings of my three-night presence/absence survey for the endangered Mount Hermon June beetle (MHJB) at the above-referenced parcel. The remainder of this letter provides pertinent background information on the MHJB and describes my survey methods, findings, and recommendations.

Background Information.

This beetle is known scientifically as *Polyphylla barbata* (Coleoptera: Scarabaeidae) and was described in 1938 from specimens collected on Mount Hermon in Santa Cruz County. Of the 28 species of *Polyphylla* that occur in North America, the MHJB has one of the most restricted geographic ranges. It is found in association with Zayante sandy soils in the Felton-Scotts Valley-Ben Lomond area of Santa Cruz County, CA, and is known only from these Zayante sandhills. Due to the beetle's limited geographic range and the historical and anticipated loss of habitat within its limited range, the U.S. Fish & Wildlife Service (USFWS) recognized the MHJB as an endangered species in 1997, pursuant to provisions of the federal Endangered Species Act of 1973 (FESA).

The Zayante sandhills support a sand parkland vegetation community that is the preferred habitat for MHJB. This plant community is characterized by a mosaic mixture of Ponderosa pine, chaparral, and sparsely-vegetated areas of grasses, forbs and subshrubs, several of which are indigenous to the Zayante sandhills. Adults are usually active from about mid-June through mid-August, but their flight season started earlier in 2001. Males fly each evening for approximately one hour after dusk in search of females that are believed to be flightless and remain at their earthen burrows. Observations of flying males suggest that most flight activity occurs within a few feet above ground.

Although specific life history information for the MHJB is unknown, information from closely related species suggests that most of the beetle's life cycle is spent as a larva or grub that lives below ground and is a root feeder, presumably on one or more of the plants that are indigenous to the sand parkland vegetation. Larval development is believed to require at least one year, and perhaps as long as two or three years.

Survey Methods.

Males of MHJB are attracted to black lights, so black-light traps operated between about 8:30 and 10:00 pm is the standard procedure used to determine presence/absence of MHJB at new survey locations. My surveys at your property were performed on the evenings of May 30, June 14, and July 4, 2001. My contacts in the greater Scotts Valley area indicated that the first MHJBs had been seen at porch lights earlier in the week prior to my first survey, when a heat wave embraced the area.

Your parcel measures approximately 1.0 acre in size. Vegetation at the site consists of a mixture of remnants of sand parkland (Ponderosa Pines and oaks), plus various weeds that have invaded the site. Several old hay bales were also noted at the site.

On every survey night I placed five to eight black light traps in all portions of your property. All traps were placed in small clearings in the vegetation and at ground level in an effort to attract any MHJBs that were on-site, but to minimize the broadcast of light that could have attracted beetles from adjacent parcels.

On every survey night I also placed one or two traps on the nearby Cellular One antenna site, located just below the Mount Hermon cross. The antenna site is a known location for the MHJB, so it was used as a control.

All traps were operated from about 8:00 to 10:30 pm. While the traps were operating I walked throughout your parcel to search for any MHJB adults that might be emerging from the ground. I also observed beetle activity at each trap.

Survey Results.

MHJBs were found in all portions of your property. A total of 45 beetles were trapped, 11 on May 30, 20 on June 14, and 14 on July 4. The number of beetles in a trap on a particular night ranged from 1 to 16. Two traps operated on May 30 did not yield any beetles, but beetles were observed in traps operated at these same locations on subsequent survey dates. In addition, MHJBs were observed on the parcel as they emerged from the ground and as they were flying on the property. The control traps operated at the Cellular One antenna site yielded a total of 33 MHJBs on May 30 (2 traps), 27 MHJBs on ^{June} July 14 (1 trap), and 18 MHJBs on July 4.

Recommendations.

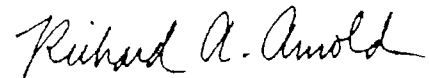
Because the MHJB occurs at your parcel, a permit for incidental take of the beetle will probably need to be obtained from USFWS to comply with the FESA, should you decide to pursue residential development of your parcel. Although the permit application is brief, a Habitat Conservation Plan (HCP) needs to be prepared and included as an attachment. This document describes the project, impacts to the endangered beetle, appropriate mitigation and monitoring activities to benefit the beetle, and identifies the parties responsible for all described activities. For you to have the greatest flexibility in designing your home and other site improvements, I suggest that an off-site mitigation

solution may be more appropriate than attempting to accomplish both mitigation and development at your parcel.

I recommend that you contact Colleen Sculley, entomologist for the USFWS's Ventura office (805-644-1766) to discuss this matter further. She is tentatively planning to have a meeting with County and City of Scotts Valley officials, as well as interested property owners on August 8 at 2 PM in Scotts Valley. The purpose of the meeting is to discuss permit and mitigation issues, and to explore the possibility of a joint mitigation solution for the various affected landowners. I encourage you to attend this meeting. It may also be useful to contact the City of Scotts Valley and your county supervisor to advise them of your interest in their assistance with this issue.

Please feel free to contact me if you have questions or need further assistance.

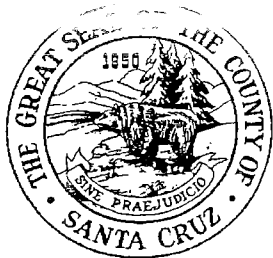
Sincerely,



Richard A. Arnold, Ph.D.
President

Cc: Ron Powers, Richard Beale Land Use Planning, Inc.

**15.0 APPENDIX B: Conservation Credit Sales Receipt from the
Zayante Sandhills Conservation Bank**



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, SUITE 400, SANTA CRUZ, CA 95060-4073

(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

July 14, 2000

Robert De Witt
1607 Ocean Street, Suite 1
Santa Cruz, CA 95060

**SUBJECT: ARCHAEOLOGICAL RECONNAISSANCE SURVEY FOR
APPLICATION 00-0397 ON APN 067-412-06**

Dear Mr. De Witt,

The County's archaeological survey team has completed the Phase 1 archaeological reconnaissance for the parcel named above. The research has concluded that prehistorical cultural resources were not evident at that site. A copy of the review documentation is attached for your records. No further archaeological review will be required for the proposed development. Please contact me at (831) 454-3170 if you have questions regarding this review.

Sincerely,

Kim Tschantz, CEP
Deputy Environmental Coordinator

Enclosure: 1

cc: Jackie Young
Project Planner

EXHIBIT B

SANTA CRUZ ARCHAEOLOGICAL SOCIETY
305 EAST CLIFF DRIVE, SANTA CRUZ, CALIFORNIA 95062

Preliminary Prehistoric Cultural Resource Reconnaissance Report

Parcel APN: 067-412-06

SCAS Project #: SE-00-803

Planning Permit #: 00-0397

Parcel Size: 2.70

Applicant: Kara W. DeWitt

Nearest Recorded Prehistoric Site: _____

On 06/26/00 (1) members of the Santa Cruz Archaeological Society spent a total of (1 1/2) hours on the above described parcel for the purposes of ascertaining the presence or absence of prehistoric cultural resources on the surface. Though the parcel was traversed on foot at regular intervals and diligently examined, the Society cannot guarantee the surface absence of prehistoric cultural resources where soil was obscured by grass, underbrush or other obstacles. No core samples, test pits, or any subsurface analysis was made. A standard field form indicating survey methods used, type of terrain, soil visibility, closest freshwater source, and presence or absence of prehistoric and/or historic cultural evidence was completed and filed with this report at the Santa Cruz County Planning Department.

The preliminary field reconnaissance did not reveal any evidence of prehistoric cultural resources on the parcel. The proposed project would therefore, have no direct impact on prehistoric resources. If subsurface evidence of such resources should be uncovered during construction the County Planning Department should be notified.

Further details regarding this reconnaissance are available from the Santa Cruz County Planning Department or from Rob Edwards, Director, Archaeological Technology Program, Cabrillo College, 6500 Soquel Drive, Aptos CA 95003, (831) 479-6294, or email redwards@cabrillo.cc.ca.us.

Page 4 of 4

EXHIBIT E

Robin Bolster

From: Jessica Duktig
Sent: Monday, February 03, 2014 12:27 PM
To: Robin Bolster
Subject: sandhills conditions for Hochler

- a. Total site disturbance shall not exceed that area identified on Exhibit 'B' for which conservation credits or other mitigation has been accepted. To date credits have been purchased for _____ square feet of total disturbance.
- b. Total site disturbance shall not exceed _____ as identified on Exhibit 'B'
- c. Ground disturbing activities (e.g. vegetation clearing, grading, digging etc.) shall be minimized during the growing season of the Ben Lomond spineflower and adult flight period of the Mount Hermon June Beetle (May 15-Aug15).
- d. Removal of native Sandhills plant species shall be minimized. Revegetation of disturbed areas shall be with native Sandhills plant species that are locally derived, if possible.
- e. Landscaping shall exclude the use of turf grass, weed matting, aggregate and mulch.
- f. During construction, night lighting shall be minimized during the flight season of the Mount Hermon June Beetle (May 15-Aug 15).
- g. During construction, areas that have been recently disturbed by the development project shall be covered every evening (during May15-Aug15) with tarps, landscape fabric or other similar material.
- h. Permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of surrounding areas. Light sources that do not attract insects (e.g. yellow or sodium vapor bulbs) shall be used if outdoor lighting is necessary (e.g. security or handicap access structures).

Jessica Duktig
Resource Planner
Environmental Planning
(831) 454-3162
jessica.duktig@co.santa-cruz.ca.us
NEW EMAIL BEGINNING FEBRUARY jessica.duktig@santacruzcounty.us
Office Hours M-F 9-2p

1. REFERENCED TO S. C. CO. CODE SECTION 14-1-200
FORM AND CONTENT FOR TENTATIVE MAPS

- ## 2. DEVELOPMENT CONSTRAINTS:

- (a) Each rule lot is contributed to a development consisting of 2,000 square feet maximum, including front and side yards, and must be on the same lot as the maximum lot size.
- (b) Residential lotlines are contributed to the building.
- (c) Development, siting, and/or siting setbacks for front and side yards.
- (d) No development is permitted in the rear yard areas outside of the designated development envelope.
- (e) Property is within the Sand Hills habitat area.

2. PROPERTY DATA:

- | | General Plan Designation: | Urban/Low Residential |
|--|---------------------------|-----------------------|
| (a) Zoning = R-1-10 | | |
| (b) Property is within the Urban Services Area | | |
| (c) Slope: Entire area is sloped less than 30% | | |
| (d) Designated as: Rural/ farm street and easement above townsite line along the west boundary. Ranches plan for new construction to be subdivided with building permit application as required. | | |

LOT AREA SUMMARY:

TENTATIVE MAP



**SEE DRAINAGE
NOTE 3 (d)**

PARCEL

PARCEL

SUGAR PINE ROAD

GRAPHIC SCALE:

(IN FEET)
1 inch = 60 ft

MINOR LAND DIVISION
PREPARED AT THE REQUEST OF
RICK HOCHLER
A.P.N. 067-581-07
SCOTTS VALLEY, CA.

PROLIF. #1, NO. 29
SALT
P2 or 2

Robert L. DeWitt
& Associates, Inc.
Civil Engineers & Land Surveyors

180

EXHIBIT

Revised on 10/17/13

Design Guidelines
For a 2-lot Minor Land Division at 701 Sugar Pine
County of Santa Cruz
APN 067-581-07

The design and ultimate build-out of the Minor Land Division at 701 Sugar Pine will result in a high quality, esthetically pleasing and environmentally sensitive project. The Design Guidelines provide a framework for neighborhood planning, architecture, and landscaping. These Guidelines are intended to guide the design within a Development Envelopment of 7500 Sq. Ft. of each parcel for the 2-lot Minor Land Division and yet still maintain flexibility.

The basic objectives of the Design Guidelines are to:

- Assure high quality community character and land use compatibility within the allowable 7500 Sq. Ft. Development Envelopment.
- Create a design which is compatible with the neighborhood and the existing environment.
- Support energy and water conservation and fire safety.

Development Envelopment: In order to allow flexibility to the owner for the final location of the Development Envelopment it should be noted on the Final Map: The ***Development envelope shall not exceed 7,500 square feet on each of Lot A and Lot B. The limits of the development envelope shall border the front of each lot and shall be shown with dimensions on the site plan submitted for building permits.***

Landscaping: Landscape for the individual lots shall incorporate drought tolerant and native plants. All vegetation shall be trimmed to meet fire access requirements.

Fencing: Fencing along property lines shall comply with the County height standards. All fences shall be constructed of solid wood and be designed as “good neighbor fences.” If they are stained or painted they should be of natural color.

Home Design: It will be encouraged that each home be designed and oriented to optimize solar access. Residential architectural styles may vary. There is no intent to establish a universal design standard or type of architecture.

Home size shall conform to County rules and regulations. Front porches and wrap-around porches are encouraged. All sides of the home elevations shall have the same level of detail. Siding material may be wood, stucco or a combination of both. Homes shall include a combination of one and two-story elements to create visual diversity. Architectural elements such as chimneys, balconies, and porches are encouraged. Roof elements shall include dormers, gables and eaves to break up mass.

Use of natural materials such as wood, wood trim, stone, rock or brick are encouraged for design accent and trim. Material color values should generally be light earth tones with darker tones and white used for

trim and accent. Accent color should be used for shutters, trim, fascia, balcony rails, stucco recesses or cornice bands.

Driveways and parking areas may be brick, stone, concrete or similar natural materials and the use of pervious or semi-pervious material is encouraged. Asphalt should only be used for the main street, Sugar Pine road to match up to the driveway approach.

Roof forms and materials should be simply pitched gable and consistent with the architectural style of the home. Roof pitch may vary but generally not be flatter than 4 inches vertical to 12 inches horizontal. Varied plates and ridge heights are encouraged to create offsets in the ridgeline to better articulate roof forms and building massing. Roof colors are encouraged to be neutral earth tones or shades of black or gray where appropriate with the home architecture. Concrete, clay, cement tile and composition shingle should be used for roof material.

Building elevations should be harmonious and compatible with the design elements of the architectural style of each home. Each home should have a predominant façade material and color that differentiates it from the adjacent home.

Exposed gutters and downspouts should be painted to match roof fascia trim or wall colors. Patina finishes such as copper are acceptable. All flashing, sheet metal, vents and pipes should be painted to match the adjacent surface. Sky lights are encouraged as part of the roof design.

Open Space: Due to the environmental restriction approximately 65% of each parcel will be open-private space.

Fire Prevention Requirements: All open space will be maintained in accordance with CalFire Prevention Standards. Driveways will be a minimum of 12 feet in width. All other requirements as specified by CalFire shall be incorporated into the plans and permit.

Water: Domestic water will be provided by San Lorenzo Valley Water as evidenced in the “will serve” letter.

Sewage Disposal: Sewer hook ups are in the street and available through the Scotts Valley Sewer district as evidenced in the “will serve” letter.

The intention of these Design Guidelines is to insure that the Sugar Pine MLD is constructed in a manner compatible with the neighborhood, its natural surroundings, is environmentally sound, and will ensure that the owners maintain the natural beauty of the property while providing necessary elements for health and safety.