Staff Report to the Planning Commission

Application Number: 241488

Applicant: Soquel Ave Group LLC
Owner: PAZ LLC
APN: 029-021-47
Site Address: 5940 Soquel Avenue, Santa Cruz

Agenda Date: December 10, 2025
Agenda Item #: 9
Time: After 9:30 a.m.

Project Description: Proposal to subdivide an existing parcel to create 100 condominiums and construct 100 units within 17 three-story buildings. Requires the Planning Commission to adopt a Resolution recommending the Board of Supervisors approve Application 241488, including Amendments to Planned Unit Development Ordinance 5027, a Land Division, a Site Development Permit with Design Review, and a recommendation to adopt an Addendum to a Mitigated Negative Declaration, pursuant to the requirements of the California Environmental Quality Act (CEQA).

Location: The project site is located on the south side of Soquel Avenue (5940 Soquel Avenue) within the RM-2-R zone district and the Live Oak Planning Area

Permits Required: Amendments to Planned Unit Development Ordinance No. 5027, Land Division, Site Development Permit with Design Review by the Board of Supervisors

Supervisorial District: First District (District Supervisor: Manu Koenig)

Staff Recommendation:

- **Adopt** the attached Resolution (Exhibit A), recommending the Board of Supervisors **Consider** the 2008 Mitigated Negative Declaration and 2025 Addendum, **Adopt** the Addendum to a Mitigated Negative Declaration per the requirements of the California Environmental Quality Act (CEQA); **Adopt** the amended Planned Unit Development ordinance; and **Approve** Application Number **241488**, based on the attached findings and conditions.

Project Background and Site History

The subject parcel, APN 029-021-47, is one of several sites that were rezoned by the County in 2008 to the Regional Housing Need ("R") Combining District ("R-Combining District"), which allowed development of multifamily housing at a density of 20 units per acre. The R-Combining District Code section, following several amendments, is currently codified in County Code Sections 13.10.475 - 477. Creation of the R-Combining District (originally called the "Affordable Housing Combining District") and the associated rezoning of several properties into that District was originally initiated by the County in 2004 to contribute toward meeting the County's Regional Housing Needs Allocation (RHNA) for the 2000-2006 (3rd cycle) Housing Element. That policy update and rezoning program was completed in late 2008, after several years of outreach and effort. Implementation of the R-Combining District program, through maintenance of the R-Combining District zoning on those sites, and build-out of those sites with the requisite multifamily housing, was also an important part of the County's 2009– 2015 (4th cycle) Housing Element, and was

critical in gaining State certification of that Housing Element in 2010.

Concurrently with the rezoning of those sites, including the subject property to RM-2-R, the Board adopted a Planned Unit Development (PUD) ordinance prepared by County staff for each site to allow by-right development of housing at a density of 20 units per acre, as was required at the time to obtain State certification of the County's 2009 Housing Element Update. The PUDs were prepared by Planning because most of the owners were not interested in developing their own PUDs for these sites at the time. The density of 20 units per acre was significant when the PUD was proposed, due to a law passed in 2003 creating a standard known as the "Mullin" densities[1], which were a safe harbor density range to be used to evaluate a jurisdiction's sites inventory in its housing element. If sites were vacant and zoned at the Mullin density or higher (in the County's case, at least 20 units/acre) they were deemed to be available and feasible for lower-income housing development, and could be counted toward meeting the jurisdiction's RHNA.

In addition, the adoption of PUDs for each site was also critically important to achieving State Housing Element certification at that time, in that the PUDs entitled each site for multifamily development at the Mullin density and included CEQA review. The only remaining step the County was able to require for development of a PUD-consistent project on these sites was a design review hearing before the Board, where the project could not be denied, but the Board could review and comment on the proposed design, such as façade treatments, cladding colors, landscaping, etc.

For the subject property, the specifics of the R-Combining District program implementation described above were as follows:

- The County processed a PUD and associated Initial Study to identify the required conditions of approval for the construction of a by-right housing development of 100 residential units on APN 029-021-47.

- On December 9th, 2008, the Board of Supervisors approved Permit No. 07-0414, which included a PUD (Ordinance No. 5027), together with a General Plan Amendment (from "Service Commercial/Light Industry" (C-S) to "Residential Urban High" (R-UH), and Ordinance No. 5026 to rezone the property from "Light Industrial (M-1) to "Multifamily Residential – 2,000 square foot minimum parcel size, Regional Housing Need Combining District" (RM-2-R), and approval of a Riparian Exception; and

- Certified the Mitigated Negative Declaration under CEQA.

A PUD essentially functions as a site-specific zoning ordinance, incorporating all the standards for the site design, building placement, massing, etc., on a parcel, and provides a basis for recording the environmental mitigation measures that accompanied the rezoning to the "R" Combining District. The PUD modified the site development standards in effect in 2008 to reduce the amount of required parking and allow taller structures, among other modifications, in order to accommodate the development of housing at density of 20 units per acre on the subject site, resulting in a PUD for 100 dwelling units (the site is about five acres in area).

In order to allow the development of the site to be by-right (meaning the density cannot be reduced

[1] https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=200320040AB2348

and no additional CEQA review can be required for the use), CEQA analysis was done at the time of the rezoning and PUD adoption. As the PUD defines both the framework of development standards and CEQA mitigation measures, development of the site must be generally consistent with the PUD development standards, though it is subject to Design Review by the Planning Commission and Board of Supervisors.

On December 23, 2024, Soquel Ave Group LLC and KB Home South Bay LLC submitted materials to the County of Santa Cruz for Application No. 241488, and the application was taken in for review; however, the application did not become active until January 14, 2025, following payment of fees. The application was for Design Review of a 100-unit project at the subject site, including Amendments to the approved PUD. The proposed Amendments, listed below, modify several conditions of approval (COAs) of the PUD, in order to facilitate the development of the site. The main reason driving the need for these amendments is that several conditions have significantly evolved since 2008—namely: the original PUD was not reviewed by any developer's civil engineering or design team to assess the feasibility of the proposed infrastructure connections required to support the site, and it is necessary to revise and update the adopted conditions of approval to bring them into better alignment with current County Codes and best practices for infill development, current state law, and, the current cost environment for multifamily housing development. The proposed Amendments are as follows:

1. PUD Amendment to COA (I)(B)(1)(a)(iii) to reduce the parking requirement from 2.5 parking spaces to 2 spaces for three-bedroom units.

2. PUD Amendment to COA (I)B)(1)(a)(v) to reduce the guest parking requirement from 20% to 7.5%.

3. PUD Amendment to COA (I)(B)(1)(a)(vi) to remove the requirement to provide an on-site parking management plan prepared by a traffic engineer for consideration of the requested reduction to the required on-site parking standards by the Board of Supervisors as part of the Design Review Permit.

4. PUD Amendment to COA (I)(B)1)(a)(vii) to apply the standards for off-street parking as outlined by County Code Section 13.16.050, which has superseded County Code Section 13.10.554, at the time the application is deemed complete.

5. PUD Amendment to COA (I)(B)(1)(b) to amend circulation requirements for interior roadways from the minimum requirement of 50-foot centerline radii on all access routes to a centerline radii of 32 feet.

6. PUD Amendment to COA (I)(B)(2)(a)(i) removing the two-story restriction in specified areas of the project site as delineated in Exhibit A and described in Section I.B.4(c)(i) of the PUD ordinance in order to accommodate the three-story townhome-style development.

7. PUD Amendment to COA (I)(B)(3)(b)(iv) reducing the south rear yard setback for three-story structures from 20 feet to 15 feet, and allowing 3 feet of encroachment into the 15-foot rear yard setback for eves, gutters, roof overhangs and other architectural appurtenances.

8. PUD Amendment to COA (I)(B)(4)(c)(i) and (ii) removing height restriction of 28 feet and two stories within the minimum 15-foot setback adjacent to the southern property line and removing the requirement that buildings facing public roads incorporate features such as step-back heights, articulation, variations in finishes, glazing, building separation, and varied roof heights.

9. PUD Amendment to COA III(A) reducing the minimum affordable housing requirement from 40% to 15% subject to the requirements of County Code section 17.10.030(B) in order to be consistent with current affordable housing standards in the County Code.

10. PUD Amendment to COA III(D) removing specified affordable unit design and locational requirements, instead subjecting affordable units to the on-site standards set out in County Code Section 17.10.032.

11. PUD Amendment to COA (IV)(D)(3)(a)(i) removing the requirement that finished grade shall not exceed three feet above pre-construction existing grade.

Project Description, Consistency with PUD Ordinance No. 5027, and Setting

The proposal before the Planning Commission consists of the architectural and related design plans for 100 for-sale residential condominium units on APN 029-021-47. An associated emergency vehicle access (EVA), storm drain, sewer, overland drainage release, and utilities easement will also be established on the adjacent County-owned parcel, APN 029-021-59, which is currently the parking lot for the Sheriff's Office at 5200 Soquel Avenue. The County and Applicant have recently entered into a Memorandum of Understanding (MOU) regarding establishment of that EVA and related easement on County property. The MOU was entered into on March 12, 2025 between the County and the Applicant regarding an intent to enter into a public utility and emergency vehicle access across APN 029-021-59.

The project site is currently entitled for a total of 100 units, and the current application has been made for the 100 allowed units. The density and use of the proposed project are permitted by-right under the provisions of Permit No. 07-0414 and PUD Ordinance No. 5027; however, the proposal requires Design Review via approval by the Board of Supervisors of a Site Development Permit with Design Review, Amendments to PUD Ordinance No. 5027, and a Land Division.

The project site is a single 4.97-acre parcel identified as Assessor's Parcel Number (APN) 029-021-47. It is located on the southern frontage of Soquel Avenue, just south of the State Route Highway 1 in Santa Cruz County. The street address is 5940 Soquel Avenue, Santa Cruz, California 95062. The intersection of Soquel Avenue and Chanticleer Avenue is approximately 730 feet west of the project site. The project would also involve the development of infrastructure within off-site areas, and within existing road right-of-way near the project site.

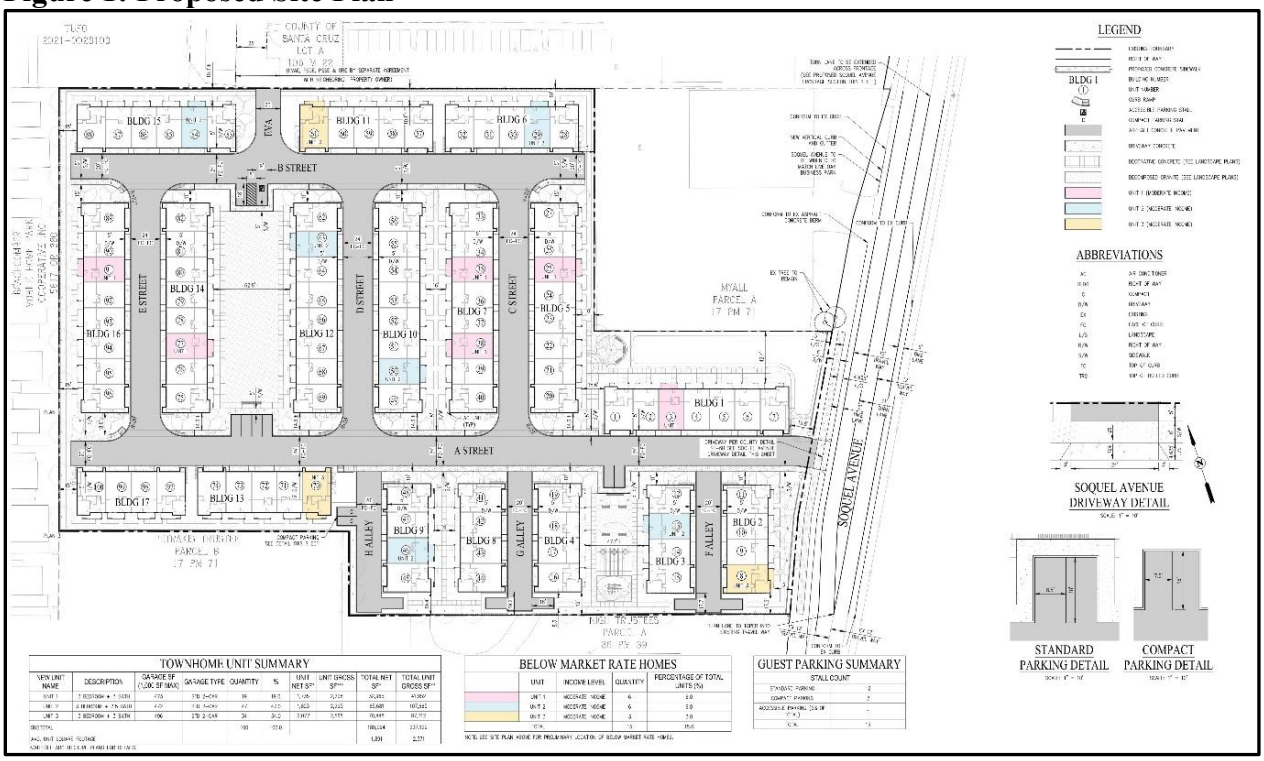
Since the 2023 Sustainability Update was adopted, the R-UH General Plan designation now allows multifamily development of up to 30 units per acre; whereas previously it only allowed a density of up to 17.4 units per acre. Only the PUD still subjects the site to a lower density of 20 units per acre, since under current State Law, if the General Plan allows more density than the zoning of a site, the applicant can opt to use the standards allowed by the General Plan, however that State

Law does not override a PUD. Though the Applicant could have pursued a density bonus under current State Law, they did not elect to do so.

The project site is relatively flat with frontage on a segment of Soquel Avenue. The existing conditions of the site include a single driveway for ingress and egress, with an open drainage swale between the paved Soquel Avenue and the private property. The existing site has been used for various storage, salvage, and salvage yard purposes, with contractor(s) also utilizing the site. Several vehicle towing businesses and storage companies had listed the site as their address. Temporary storage containers are dispersed across much of the site, as are vehicles, boats, and campers which appear either no longer operational or rarely operated. In addition to temporary storage containers, the site contains an office trailer and attached workshop measuring approximately 2,300 square feet and three sheds that range from 215 square feet to 1,300 square feet on the project site. A coarsely paved road leads to various internal roads providing access to smaller areas within the site. Part of the northwestern portion of the site is also paved with concrete pads. All existing structures on-site would be demolished and removed as a component of the proposed project and any remaining businesses operating on site, if any, would need to relocate or cease operations at that location, though most business have already vacated the site, or are in the process of vacating.

Following clearance of the project site, including removal of all vehicles, trash, debris, asphalt, and structures, the proposed project would include development of the project site with 17 three-story buildings containing 100 multifamily units and associated utilities, stormwater management improvements, landscaping, and roadways and pedestrian pathways. 100 units is consistent with the approved PUD. Street frontage improvements along Soquel Avenue would also be constructed, as would off-site utility improvements. See Figure 1 below for the proposed site plan.

Figure 1: Proposed Site Plan



The height of the proposed residential buildings would measure approximately 34 feet and four inches to finished roof. The exteriors of the buildings would consist of a mix of plaster, board and batten siding, and balconies with metal mesh railings. A mix of three-tone coloring would be used on all facades of the building. See Figure 2 below for typical elevations:

Figure 2: Elevations (Typical)



Site Standards

The proposed project has been designed in accordance with the site standards set out in the PUD, other than those PUD Amendments as specified in this report.

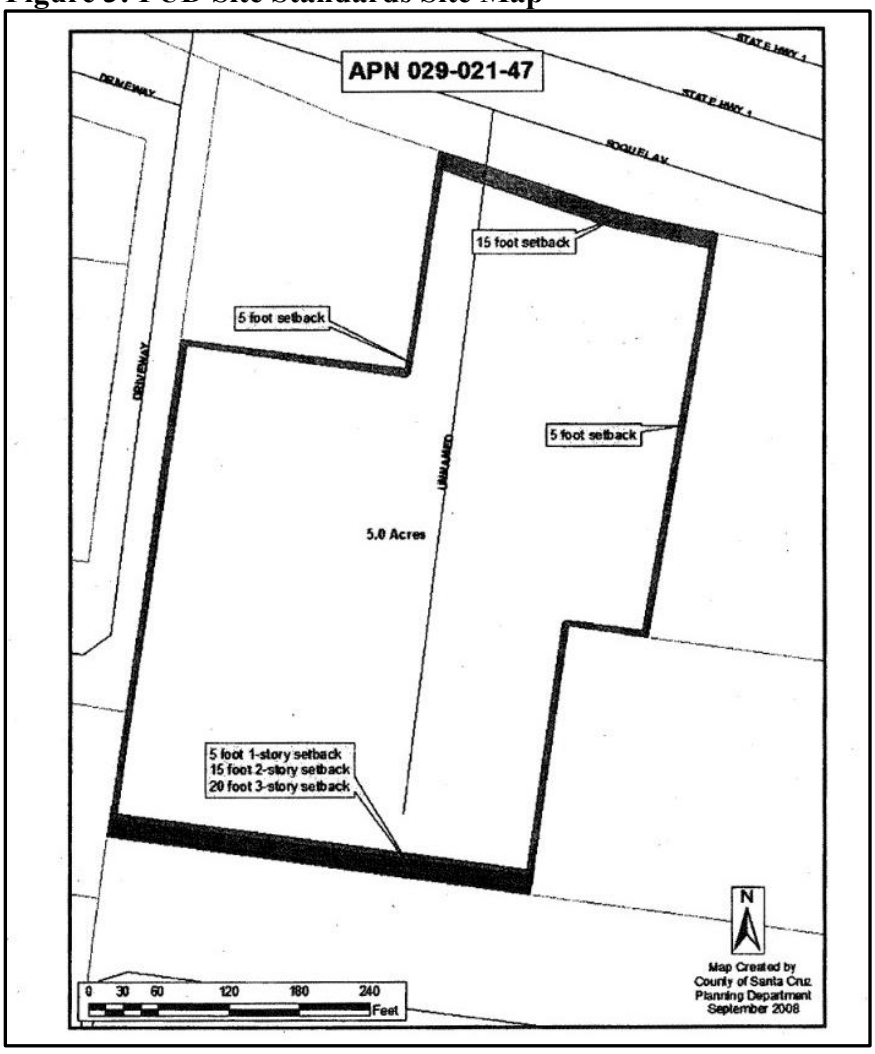
Table 1: PUD and Project Site Standards

Standards	Required by PUD No. 5027	Proposed
North Property Line (Soquel Avenue) Setback	15-foot front setback (along Soquel Avenue frontage)	15 feet
West Property Line Setback	5-foot side yard setback	10 feet
East Property Line Setback	5-foot side yard setback	10 feet
South Property Line Setback	5-foot rear yard setback for one-story structures, 15-foot setback for two-story structures, 20-foot rear yard setback for three story structures	15 feet (PUD Amendment to reduce 20-foot setback for three-story structures to 15 feet), and allowing 3 feet of encroachment into the 15-foot rear yard setback for eves, gutters, roof overhangs and other architectural appurtenances

Height	35 feet for three-story structures, 28 feet for two-story structures	34 feet 4 inches
Number of Stories	Max 3 stories (unless closer than 20 feet to the rear south property line)	All structures are three stories
Lot Coverage / Floor Area Ratio	Do not Apply	N/A

For reference, Exhibit A extracted from the PUD ordinance is provided below:

Figure 3: PUD Site Standards Site Map



Parking

As proposed, the project would include a total of two parking spaces per residential unit (a total of 200 parking spaces), and 15 guest parking spaces (one of which is an accessible ADA space). Each residential unit would include a garage with two standard parking spaces. The PUD ordinance Condition of Approval (I)(B)(1)(a), requires 2.5 parking spaces for each three-bedroom unit and an additional 20 percent of the total number of required parking spaces for dedicated guest parking.

As the project includes 100 three-bedroom units, to meet existing PUD requirements, the project would have to provide 250 parking spaces for residents and 50 guest parking spaces; thus, the project includes PUD amendments to the number of residential and guest parking spaces required.

County Code Section 13.16.050 now requires two parking spaces per multifamily unit plus 20 percent guest parking spaces; therefore, under current Code, the project would be required to provide 200 parking spaces for residents and 40 guest parking spaces. Under current Code, the project would meet the requisite number of parking spaces for the residential units but would be deficient in its guest parking requirement by a total of 25 guest parking spaces.

As proposed, the 200 residential parking spaces and 15 guest parking spaces is less than the PUD standard. As set out in PUD COA (I)(B)(1)(a)(vi), a reduction to the required on-site parking spaces may be considered by the Board of Supervisors as part of the Design Review Permit; however, the request shall include an on-site parking management plan prepared by a traffic engineer, subject to review by the Public Works Division. A PUD Amendment to COA (I)(B)(1)(a)(vi) is also requested to remove the requirement to provide this on-site parking management plan, given that their project is providing the amount of resident parking required by the current County Code, with the exception of the requested reduction in guest parking. It should also be noted that if the Applicant had opted to invoke the Density Bonus Law, the project would only be required to provide 1.5 parking spaces per 2- or 3-bedroom unit (a total of 150 parking spaces), and no additional guest parking would be required. In that case, their current plans, which provides 200 spaces, would exceed the parking requirement under Density Bonus Law, and have 65 parking spaces to spare. While the Applicant did not file this project as a Density Bonus application, the project would have qualified for a density bonus, since it includes 15 deed-restricted affordable units for sale.

In addition to vehicle parking, the PUD requires bicycle parking at a minimum of one lockable storage space for each residential unit, which is a condition of approval and will be included as part of the building permit application submittal.

Circulation

As approved by the PUD, primary access to the development will be provided from Soquel Avenue. In addition, emergency-only access would be provided at the west side of the project site, blocked by a security gate, that would extend emergency vehicle access via establishment of an easement across APN No. 029-021-59, which is a County-owned property. Therefore, COA (III)(C)(b) has been added, requiring that the easement must be executed and recorded prior to Final Map approval. Upon establishment of the easement across APN No. 029-021-59, the project would gain secondary access for emergency vehicles from the project site to Chanticleer Avenue.

Along Soquel Avenue, the frontage, sidewalk, and roadway improvements have been reviewed by the Public Works Division, and as conditioned, will meet County Design Criteria requirements. Additionally, in conformance with PUD COA (I)(B)(3)(d)(ii), a sidewalk would be constructed off-site across the adjacent parcel to the west of the site (APN 029-021-39), currently containing a landscaping supply business (d.b.a. Ewing Outdoor Supply), and would connect to the existing sidewalk fronting the Sherriff's property at 5300 Soquel Avenue. Construction of this off-site

sidewalk will allow for continuous pedestrian connection along Soquel Avenue from the project site to the sidewalk network to the west of the site, including the new bicycle and pedestrian Highway 1 overcrossing at Chanticleer Avenue.

The project would contain paved internal roadways throughout the project site, designed conformance with the PUD. The majority of the site is designed to include internal roadways with a minimum roadway width of 24 feet, with several segments (alleys and EVA) containing a minimum width of 20 feet. A PUD Amendment to COA (I)(B)(1)(b) to amend circulation requirements for interior the roadways from the minimum requirement of 50-foot centerline radii on all access routes to a centerline radii of 32 feet has been requested in order to allow for the design of the site as proposed, and space constraints associated with accommodating the 100 by-right units on the site with the development standards set out by the PUD. The request to reduce the 50-foot centerline turning radii to 32 feet centerline turning radii has been reviewed by both Central Fire and Road Engineering Public Works Division staff, who have accepted the revised turning radii design.

Continuous pedestrian circulation would be provided throughout project site via a network of sidewalks and pedestrian pathways. The on-site pedestrian pathways provide access to Soquel Avenue, to residential units throughout the development and shared common areas. Internal pedestrian sidewalks would connect to the new sidewalk along the project frontage, new sidewalk across the adjacent Ewing site, and the sidewalk network to the west of the project site.

Traffic - Level of Service (LOS) and Vehicle Miles Traveled (VMT)

A transportation impact analysis (Feer & Peers, 2007) was prepared for the approved Permit No. 07-0414, PUD Ordinance No. 5027, and its associated Initial Study/Mitigated Negative Declaration under CEQA, establishing by-right development of 100 residential units on the project site. As conditioned, the project will submit an updated traffic impact study prior to recordation of the Final Map. The updated traffic study is needed to identify any necessary mitigation measures and the project's fair-share contribution toward those mitigations, and the project is required to pay the fair share contributions identified within the study.

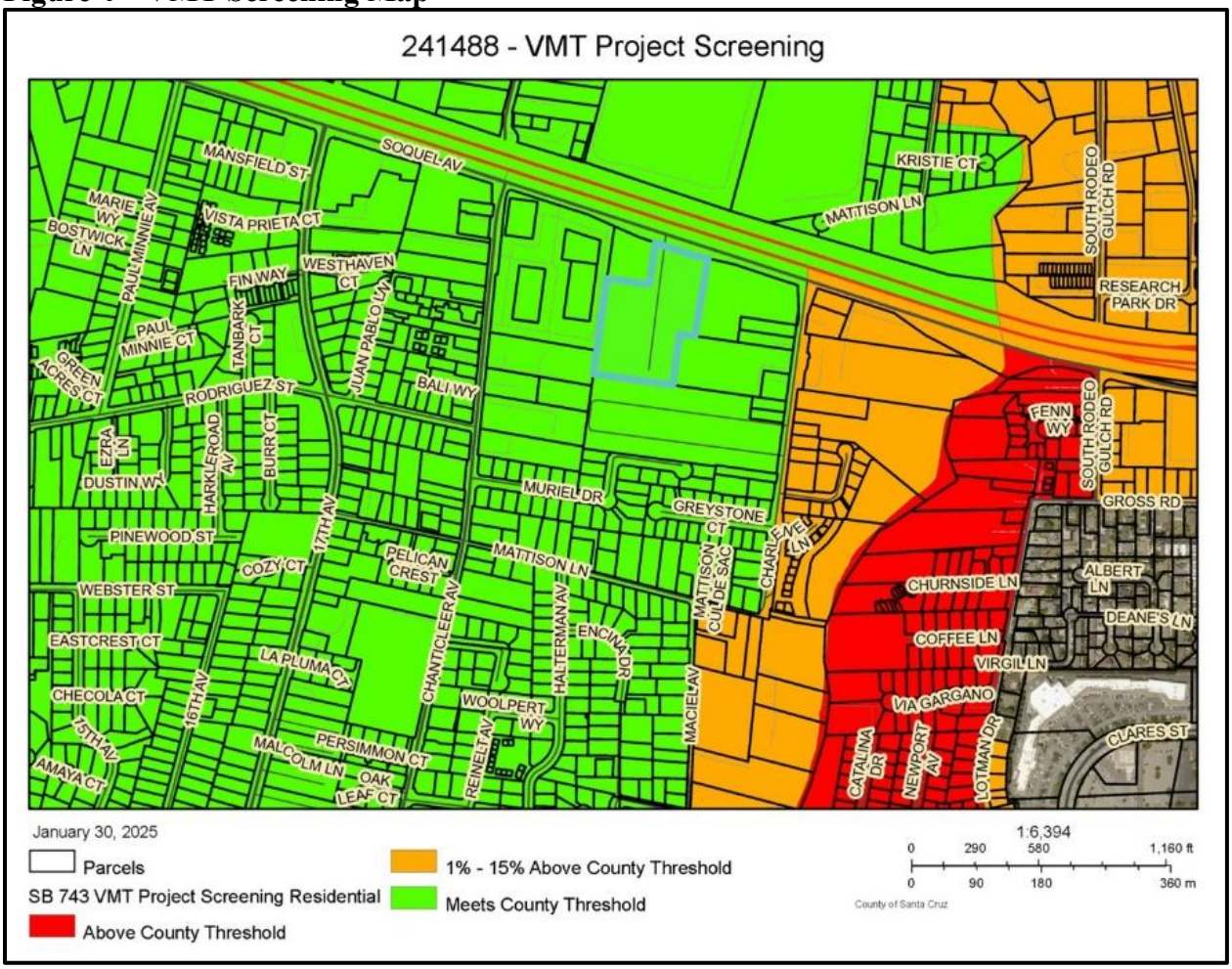
Vehicles Miles Traveled (VMT) is a measure of total vehicular travel that accounts for the number of vehicle trips and the length of those trips. In 2013, Senate Bill (SB) 743 was signed into law by California Governor Jerry Brown with a goal of reducing greenhouse gas (GHG) emissions and promoting urban infill projects supporting diverse land uses and multimodal transportation networks. One significant outcome resulting from this statute is the removal of automobile delay and congestion, commonly known as level of service (LOS), as a basis for determining significant transportation impacts under the CEQA.

Pursuant to the Senate Bill (SB) 743 Implementation Guidelines for the County of Santa Cruz[2], a presumption that the proposed project will have a less than significant transportation impact can be made. As demonstrated on the map below (Figure 4), the proposed project is located in an area of the unincorporated County where average VMT is below the County's VMT threshold and

2 https://cdi.santacruzcountyca.gov/Portals/35/CDI/UnifiedPermitCenter/EnvironmentalPlanning/VMT/SantaCruzCounty_VMTGuidelines_2025.pdf?ver=vDanmR6v0B0rN_zju51K6Q%3d%3d

therefore can be screened out from further VMT analysis. The project, therefore, would result in a less than significant transportation impact under CEQA.

Figure 4 – VMT Screening Map



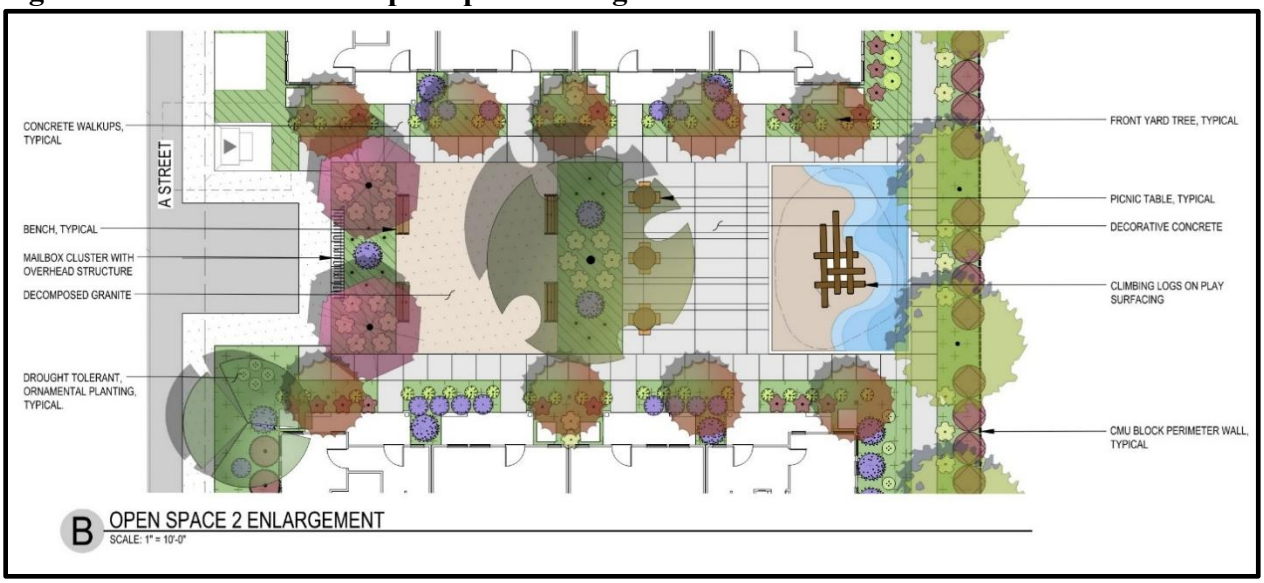
Open Space and Landscaping

Per PUD Ord. No. 5027 COA (I)(B)(3)(c)(iv), the usable open space requirements set out in County Code Section 13.10.323(D) (the PUD cites County Code Section 13.10.323(e)(6)(F), which has since been superseded with County Code Section 13.10.323(D)), shall not apply; instead, usable open spaces shall be provided as specified by the Design Review Permit.

Private usable open space would be provided for each three-story residential unit via an at-grade porch at the first story and a balcony at the second story (a total of approximately 130-140 square feet of private useable space per unit inclusive of the porch and balcony).

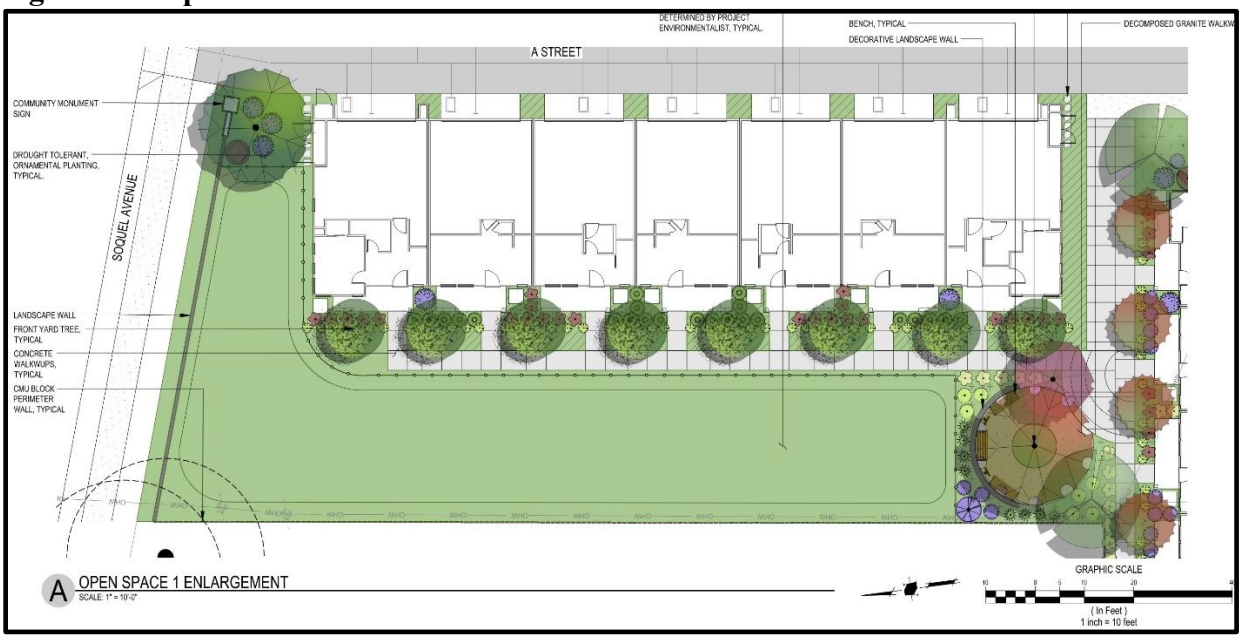
Between Building 3 and Building 4 at the northeastern portion of the project site a large common usable open space including a picnic area, and a children's area with climbing logs is proposed, as illustrated below in Figure 5. This open space provides for active uses, which is encouraged for the three-bedroom residential units, a sought-after unit type for families.

Figure 5: Active Common Open Space Enlargement



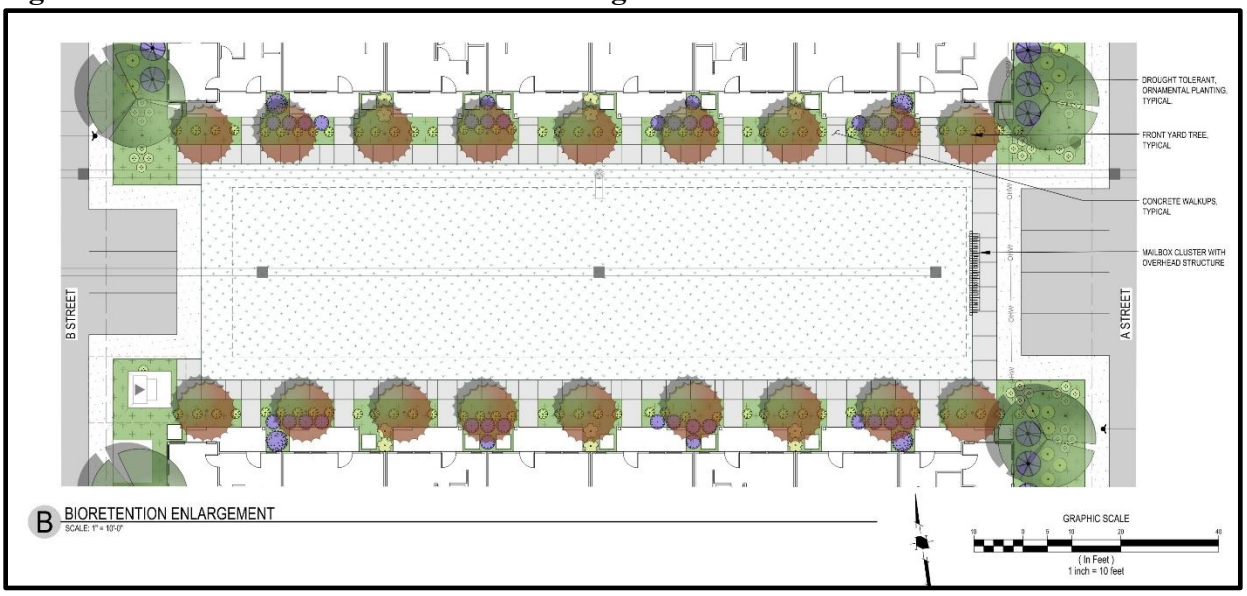
The project also proposes two other large open spaces on the project site. These open spaces would not be usable, in that they would not be walkable; however, they add visual greening and ecological improvements to the development. First, at the northwestern portion of the site, adjacent to the Soquel Avenue frontage, is a large, planted area that will function as an artificial wetland. As detailed in the CEQA Addendum to the Final Initial Study/ Mitigated Negative Declaration (dated November 2008, 2008 IS/MND) prepared for the approved project and PUD under Application No. 07-0414, approximately 0.041 acre of artificial wetlands and other waters would be impacted by the proposed project. The permanent loss of waters of the U.S. and/or State would be avoided through the creation of a 0.1-acre seasonal wetland at the northwest corner of the project site. The wetland will be seeded with native wetland vegetation and monitored for a period of at least five years to ensure successful replacement of functions and services, as it has been designed to exceed those of the existing artificial wetland. While project implementation would result in impacts to aquatic resources, the functions and values of these resources will be replaced onsite, and these impacts would be considered less than significant. Furthermore, permanent loss of aquatic resources does not exceed those considered in the 2008 IS/MND. As conditioned, the project would include the following additional materials to be prepared: a revised stormwater pollution prevention plan and Wetland Monitoring Plan. The proposed artificial wetland is depicted in Figure 6 below:

Figure 6: Proposed Artificial Wetland



Finally, a large on-site biofiltration area would be installed between Building 12 and Building 14. The biofiltration area will contribute to the project's stormwater management design and strategy. Though the biofiltration area would not be walkable, pedestrian sidewalks wrap around the perimeter of the area, and it would serve as a visual green space for residents. See Figure 7 below for an illustration of the bioretention area.

Figure 7: Biofiltration Area Between Buildings 12 & 14



Stormwater Management

The Applicant has provided preliminary grading and drainage plans by CBG civil engineers dated July 11, 2025, and architectural sheets by SDG Architects dated March 18, 2025. While it is understood that further refinement of the final site design is underway the preliminary plans and

supporting geotechnical documentation demonstrates a project that can feasibly comply with County Design Criteria requirements and drainage related conditions of approval associated with the PUD Ordinance No. 5027.

The proposed project will result in over 160,000 square feet of new and replaced impervious area. The proposal includes on site drainage facilities that will capture and treat all onsite stormwater runoff in a biofiltration facility near the center of the development (See Figure 6 above). After treatment, runoff will be routed to a new storm drain system located within the Soquel Avenue right-of-way. The project will construct a new storm drain system in Soquel Avenue that will route runoff from the site, and from upstream of the site, down Soquel Avenue, approximately 1,600 feet eastward, to Rodeo Creek Gulch. A new outfall will be constructed within Rodeo Creek Gulch. As part of the original approval of PUD Ordinance 5027, a Riparian Exception was granted allowing for off-site drainage improvements along the bank of Rodeo Creek Gulch. The project's proposed design is in line with the design parameters of the approved PUD and associated approved Riparian Exception. The new drainage system will be sized in conformance with County Design Criteria requirements, to accommodate existing and future build out of the watershed considering current zoning. This drainage system will address existing drainage concerns in the project vicinity.

The project has requested a waiver to onsite flood control mitigations requirements as well as a fee credit for Zone 5 impervious area impact fees. The Public Works Division of CDI has approved the waiver and fee credit request, contingent upon the following:

1. The project includes construction of the storm drain system in Soquel Avenue from the project frontage to Rodeo Creek Gulch.
2. Detailed drainage analysis is provided demonstrating that the proposed storm drain line is sized to adequately handle runoff from the upstream watershed as well as runoff from the project site and the adjacent parcel (APN 029-021-46) considering full build-out of these areas based on current zoning, and future offsite development maintaining current drainage patterns and runoff rates in accordance with County Code. The analysis shall result in parcel watershed contribution volumes by percentage, and the applicant's percentage shall include the needed capacity to meet County flood control site standards.
3. Approval by the Zone 5 Board of Directors to allow the impervious area impact fee to be credited toward the developer's share of the pipeline construction costs.
4. County Board of Supervisors' approval of a developer agreement for construction of the off-site storm drain system and provisions for reimbursement of the non-developer portion of the project cost. The agreement shall require the Applicant pay their own share of the pipeline costs based on their volumetric percentage of the flow (including needed capacity to meet County flood control site standards).

Sanitation

The proposed sewer layout includes a private sewer collector on a neighboring parcel (APN 029-021-56). An associated EVA, storm drain, sewer, overland release, and utilities easement will be established on the adjacent County-owned parcel (APN 029-021-59). A Memorandum of Understanding (MOU) was entered into on March 12, 2025 between the County and the Applicant regarding an intent to enter into a public utility and emergency vehicle access across APN 029-

021-59. This sewer layout has been deemed feasible but is reliant on the neighboring parcel owner granting a private utility easement for the private sewer collector. That the Applicant obtain and submit the recorded sewer easement has therefore been included as a condition of approval of this permit. A will-serve letter from the Santa Cruz County Sanitation District has been issued for the proposed project.

Site Planning and Design Review

The proposed development consists of 17 buildings, each containing three stories, that are designed in an attached townhome style, with associated on-site and off-site improvements. The building massing would follow a linear arrangement, as is typical for townhome developments, and will essentially be mirrored on either side of interior roadways containing a width of 24 feet, with several segments (alleys & EVA) containing a minimum width of 20 feet. The interior roadway provides access extending from Soquel Avenue to all units throughout the project site. The PUD calls for "village" clustering in site design. The townhome-style buildings and multimodal connectivity throughout the project site and shared common areas achieve this concept well, given the space constraints of the size of the site to accommodate the 100 by-right residential units. The buildings contain similar floor plans, with some buildings providing reverse floor plans and variation in the balcony and patio sizes and orientations. As indicated in Figure 8 below, landscaping is proposed throughout the development, wrapping private yards of the units, lining interior roadways, and wrapping the periphery of the project site and frontage. The project would plant approximately 179 trees.

Figure 8: Overall Site Plan and Landscaping



The proposed project contains 100 by-right residential units, is infill development within the County's urban services line, which is encouraged by the County General Plan and County Code, and all utilities are available to serve the proposed development, as indicated in the will-serve letters from the City of Santa Cruz Water Department (Exhibit H) and the Santa Cruz County Sanitation District (Exhibit I).

Zoning & General Plan Consistency

As explained above, the subject property is a five-acre parcel zoned RM-2-R. This zoning allows multifamily residential development at a density of 20 units per acre. The proposed multifamily project is a principally permitted use within the zone district, and the zoning is consistent with the site's R-UH (Urban High Density Residential) General Plan designation, which allows residential development at densities between 11 and 30 units per acre.

Affordable Housing Requirements

The 2008 PUD (Ordinance 5027) included two conditions of approval related to the County's then-current affordable housing requirements (codified in SCCC Chapter 17.10) and the R-Combining District code section (13.10.475-478) that are no longer consistent with the current version of these code sections. Those code sections have been amended by the County several times since 2007-08, when the R-Combining District code and this 2008 PUD were first adopted. The most significant amendments to these code sections were enacted by Ordinance 5200 in 2015 and Ordinance 5286 in 2018, to adapt to changing state laws and other factors.[3] A brief excerpt of the minutes of the February 24, 2015, Board meeting where Ordinance 5200 was adopted is provided below:

7) Projects on lands that the County approves to be rezoned from non-residential to residential use will be subject to the standard applicable 15% on-site or impact fee requirements as apply to other projects;

8) "R-Combining District" sites will be subject to the standard applicable 15% on-site or impact fee requirements, unless the County or other funding entity provides incentives or funding accepted by the builder;

Given the economic infeasibility of COA (III)(A)(2), explained below, and the fact that this requirement is no longer supported by County Code, the Applicant seeks to amend several outdated COAs in the 2008 PUD to replace them with comparable language from the current version of these code sections. A brief comparison of these COAs in the 2008 PUD and the current comparable requirements in Chapter 17.10 is provided below.

[3] Such as the Palmer court decision in 2009, which outlawed the imposition of inclusionary housing requirements on rental projects, the 2011 dissolution of redevelopment agencies by the State, evolving state law related to housing elements, and evolving nexus requirements related to impact fees and inclusionary housing requirements

Table 2: Comparison of Affordable Housing Requirements

Housing Conditions of Approval	Inclusionary Requirement (% of Total Units in Project): COA III(A)(1)-(2)	Development Standards for Affordable Units: COA III(D)(1)
Adopted 2008 PUD	• 15% of Total Units pursuant to 17.10.030(b)(1) *[now 17.10.030(B)]*; and • 25% of total units pursuant to 17.10.030(b)(6) *[code section deleted in 2015]*	Reduced design standards for affordable units, such as: • Unit size at least 70% of average market-rate units • Fewer bedrooms in affordable units compared to market-rate units, • No garages required even if provided for market-rate units; • Affordable units may be clustered within site.
Proposed modified conditions based on current County Code Chapter 17.10	• 15% of Total Units pursuant to 17.10.030 (B) • *Strike requirement for 25% extra units due to deletion of 17.10.030(b)(6) through 2015 Board action (Ordinance 5200).*	Reference to current code requirements in SCCC 17.10.032, summarized below: • Unit size (floor area) at least 75% of average market-rate units; • Average number of bedrooms equal to average number in market-rate units; • Affordable units to be evenly dispersed throughout site; • Exterior design to be largely comparable

The exact text of these conditions from original 2008 PUD is copied below:

COA III. Affordable Housing

(A) Affordability Level. All development proposals for this parcel are required to provide a minimum of forty percent (40%) of the total number of units as affordable:

1) A minimum of 15% of the 100 units shall be affordable under the requirements for all development projects in Chapter 17.10.030(b)(1).

2) An additional minimum of 25% of the 100 units shall be affordable under the requirements for Enhanced Affordable units as described in Chapter 17.10.030(b)(6). For fractional numbers in the 25% Enhanced Affordable category, affordable housing obligation will be derived by rounding to the nearest whole number, such that 0.5 will be rounded up.

(D) Affordable Unit Standards

(1) The following standards supersede the standards of the County Code and Affordable

Housing Guidelines regarding affordable units. Where not superseded by the provisions below, affordable units shall be comparable to market rate units and must meet the requirements of Chapter 17.10 of the County Code and the Affordable Housing Guidelines and shall be subject to all affordable housing standards, with the following exceptions.

(a) The size of affordable units may be smaller than market rate units. At a minimum, the average size of the affordable units must be 70% of the average size of the market rate units (see County Code Section 17.10.032(a)(4)).

(b) The affordable units may average 0.5 of a bedroom less than the average number of bedrooms per unit in the market rate units.

(c) Affordable units may be clustered on-site.

(d) Where garages are provided for market rate units, garages are not required for affordable units. Where garages are not provided for any unit, that unit (market rate or affordable unit) shall have a minimum of 218 cubic feet of private storage space per unit which shall be accessed outside the unit and may not encroach into the required parking space dimensions.

Key Housing Issues:

COA (III)(D) was included in the PUD intended as an "incentive" to at least partially offset the cost of COA (III)(A) (requiring 40% of the units to be affordable units), by providing greater flexibility on the design standards for affordable units. While that increased flexibility may have marginally reduced development costs for the extra 25% affordable unit requirement, it was never the sole "assistance" offered by the County to ensure the feasibility of these R-Combining District projects, according to various Housing Element documents. Descriptions of the 40% inclusionary requirement applicable to certain rezoned and/or R-Combining District sites found in prior County Housing Element Updates as early as 2005 (see Exhibit K, Brief History of the R-Combining District) emphasized that the County Redevelopment Agency would also commit $15 million in RDA Housing funds (worth nearly $25 million in today's dollars) to subsidize development of the six (at that time) R-Combining District sites with at least 40% affordable units in each project. While the RDA did provide millions of dollars in housing funds to assist a number of 100% affordable housing developments on several of the R-Combining sites and other local sites before it was dissolved in 2011 (such as Pippin Orchards, Cienega Heights, Parkhurst Terrace, and Schapiro Knolls), the County no longer has enough special housing funds available to make a 40% affordability requirement feasible for this project. The developer has not requested any such funds, but they have indicated that they would abandon this project if the PUD is not amended to remove the 40% inclusionary requirement.

Furthermore, in recent years, the County has fallen short on its RHNA goals for above-moderate income units, which is why the County is required to approve SB 35 projects at the 10% affordable level rather than the 50% affordable level.[4] This project, if the requested amendments are approved, would help contribute a significant number of moderate (at least 15) and likely above-

[4] https://www.hcd.ca.gov/policy-research/docs/SB-35-Guidelines-Update-Final.pdf

moderate income (likely 85) units toward the County's 6th cycle RHNA goals.

As noted above, several Code amendments were enacted between 2015 and 2018 because the prior 40% affordability requirement applicable to the R-Combining Sites was determined to be economically infeasible, and therefore a constraint on housing development, by a nexus and feasibility study prepared for the County by Keyser Marston, completed in August 2014. That study served as a basis for amendments to Chapter 17.10 to remove the sections that constrained the feasibility of housing development and could have otherwise prevented the County from meeting local housing needs and/or obtaining certification of its subsequent 2015-2023 Housing Element.

The County's current inclusionary housing requirements (SCCC Chapter 17.10) require 15% of the total units in for-sale projects of seven or more units to be deed-restricted and sold as affordable (Measure J) homes for sale at the Moderate-Income level, as set forth in Chapter 17.10 and the Affordable Housing Guidelines. Based on the 100 units proposed in this project, a 15% requirement equals 15 affordable for-sale units in the project, compliant with the current standards in County Code Section 17.10.030. The Applicant is amenable to complying with the general affordable unit standards in County Code section 17.10.032 if the requested change to COA (III)(A)(2) is approved.

Amendment of PUD COAs (III)(A) and (D) as described above is required to: a) reduce the required percentage of affordable units from 40% to 15%, to comply with current state law and local codes, and to ensure the feasibility of the site for multifamily housing development, and b) replace the provisions about design flexibility with a reference to the current County Code subsection on this topic (SCCC 17.10.032). As amended, the proposed project would meet the affordable housing requirements under current County Code Chapter 17.10, and will provide 15 new affordable homes affordable to local moderate income, first-time buyer households, as well as 85 non-restricted townhomes that could be affordable to various members of the local workforce that currently exceed the income limits for the Measure J homebuyer program (such as many local public sector or healthcare workers in higher-paying positions, dual-income households, and higher-income private sector workers). In addition, this project will contribute 100 units toward the County's RHNA for the 2023-2031 Housing Element cycle.

For all the above reasons, staff recommends approval of the requested amendment of these COAs as described above.

Public Outreach/Public Comment

The project Applicant conducted public outreach for the project, including a public neighborhood meeting held on May 27, 2025. Neighbors expressed concerns about potential traffic, parking, preserving trees, privacy, and drainage, among other comments. Public comments submitted to the Department also included concerns about the size and height of the buildings, particularly privacy concerns for residents of the Beachcomber Mobilehome Park, and drainage/stormwater management concerns pertaining to the existing drainage of the site.

Environmental Review

Environmental review was conducted and an Initial Study was prepared for the adoption of the PUD (Ord. 5027), and approvals of a Rezoning (from M-1 – Light Industrial to RM-2-R (Multifamily Residential, 2,000 square feet per unit, Regional Housing Need Site), General Plan Amendment (from C-S – Service Commercial/Light Industrial to R-UH (Urban High Residential), and a Riparian Exception, for the project site, and the Mitigated Negative Declaration was certified by the Board of Supervisors on December 9, 2008. The mitigation measures were integrated into the PUD, as Section IX, following the close of the Public Comment Period.

An Addendum to the Final Initial Study/Mitigated Negative Declaration (dated November 2008, 2008 IS/MND) was prepared for the proposed project by Integral Consulting Inc. (dated October 2025). The Addendum is necessary to address modifications to the approved PUD project, that require minor technical changes in the Biological Resources analysis in the 2008 IS/MND. An Addendum to the 2008 IS/MND is appropriate, because there are no substantial changes to the project, or the circumstances under which the project is taken, and no new information of substantial importance, that would result in new or more severe significant impacts, and there are no new feasible alternatives or mitigation measures. The Addendum is included as Exhibit "D" as well as on file at the CDI Planning Division.

Conclusion

A PUD was approved by the County Board of Supervisors as Ordinance No. 5027. The approved PUD allows for the by-right use of the subject parcel for a residential high-density development (20 units per acre), subject to the approval of a Site Development Permit with Design Review by the Board of Supervisors to ensure compliance with the PUD. The proposed amendments to the PUD and Tentative Map are also subject to the review and approval of the Board of Supervisors.

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP and the conditions of approval of Planned Unit Development Ordinance No. 5027, as amended. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- **Adopt** the attached Resolution (Exhibit A), recommending the Board of Supervisors **Adopt** the Addendum to a Mitigated Negative Declaration per the requirements of the California Environmental Quality Act (CEQA); **Adopt** the amended Planned Unit Development ordinance; and **Approve** Application Number **241488**, 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 Division, 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.sccoplanning.com

Report Prepared By: _____
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Report Reviewed By: _____
Lezanne Jeffs
Principal Planner
Development Review
Santa Cruz County Planning

Exhibits

A. Planning Commission Resolution with the following attached documents: Board of Supervisors Resolution, Planned Unit Development Ordinance
B. Findings
C. Conditions of Approval
D. Addendum to a Mitigated Negative Declaration (CEQA determination) (On file with the CDI Planning Division and available at: https://cdi.santacruzcountyca.gov)
E. Project Plans
F. Assessor's, Location, Zoning and General Plan Maps
G. Parcel Information
H. Will-Serve Letter - City of Santa Cruz Water District
I. Will-Serve Letter – County of Santa Cruz Sanitation District
J. Biotic Report Review Letter, Biotic Report
K. History of the R-Combining District
L. Ordinance 5027 Conditions of Approval and Mitigation Measures
M. Comments & Correspondence

Docusign Envelope ID: 29B5AD05-D514-4CA5-9A57-E9726BFC1510

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 RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE AMENDMENTS TO PLANNED UNIT DEVELOPMENT ORDINANCE 5027, LAND DIVISION, AND SITE DEVELOPMENT PERMIT WITH DESIGN REVIEW FOR APPLICATION 241488 LOCATED AT 5940 SOQUEL AVENUE

WHEREAS, the Planning Commission has conducted a public hearing on Application No. 241488, involving a 4.97-acre property that is located on the south side of Soquel Avenue (5940 Soquel Avenue) in Live Oak and regarding the proposed amendments to Planned Unit Development Ordinance 5027, a Land Division, a Site Development Permit with Design Review, and an Addendum to a Mitigated Negative Declaration for a project that includes: construction of 100 new condominium dwelling units located in the RM-2-R (Multifamily Residential – 2,000 square foot minimum parcel size, Regional Housing Need Site) zone district (the "project"); and

WHEREAS, the project has been reviewed for compliance with the California Environmental Quality Act ("CEQA") and has considered an Addendum to a Mitigated Negative Declaration; and

WHEREAS, the Planning Commission has also considered all testimony and evidence received at the public hearing and detailed in the attached staff report;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the Board of Supervisors approve the project and consider the Mitigated Negative Declaration and Addendum, and adopt the Addendum to a Mitigated Negative Declaration per the requirements of the CEQA;

BE IT FURTHER RESOLVED, that the Planning Commission makes, and recommends that the Board of Supervisors make the findings for approval of amendments to Planned Unit Development Ordinance 5027, a Land Division, a Site Development Permit with Design Review as contained in the attached staff report.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2025, by the following vote:

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

Exhibit A

Docusign Envelope ID: 29B5AD05-D514-4CA5-9A57-E9726BFC1510

Application #: 241488
APN: 029-021-47
Owner: PAZ LLC

_____
Chairperson

ATTEST: _____
SHEILA MCDANIEL, Secretary

APPROVED AS TO FORM:

Signed by:
Natalie Kirkish
D52DC6AA0E74498...

COUNTY COUNSEL

Exhibit A

Docusign Envelope ID: 29B5AD05-D514-4CA5-9A57-E9726BFC1510

Application #: 241488
APN: 029-021-47
Owner: PAZ LLC

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ,
STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Supervisor:
Duly seconded by Supervisor:
The following Resolution is adopted:

RESOLUTION ADOPTING THE ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION FOR 100 UNIT RESIDENTIAL SUBDIVISION (Application Number 241488)

WHEREAS, on _____, the Planning Commission of the County of Santa Cruz held a public hearing on Application No. 241488, involving property located within the Live Oak planning area and forwarded recommendations to the Board of Supervisors for further consideration; and

WHEREAS, the Board of Supervisors for the County of Santa Cruz has convened a duly noticed public hearing to consider the proposed project and proposed adoption of an Addendum to a Mitigated Negative Declaration, and considered public testimony prior to taking action.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Board of Supervisors has independently reviewed and analyzed the Addendum to the Mitigated Negative Declaration, in conjunction with the previously adopted Mitigated Negative Declaration and other information in the record, and has considered the information contained therein prior to acting upon the Project. Based on all evidence in the administrative record for the Project, the Board hereby makes the following findings and hereby adopts the attached California Environmental Quality Act (CEQA) Addendum to a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) related to the proposed project.

1. The project that was the subject of environmental review includes but is not limited to the following components: a 100-unit residential development project including the following approvals: Amendments to Planned Unit Development Ordinance 5027, Land Division, and a Site Residential Development Permit with Design Review.

2. Environmental review completed for the proposed project determined that the minor technical changes and additions of proposed project, as amended from PUD Ordinance 5027, do not affect the mandatory findings of significance presented in the 2008 Initial Study and Mitigated Negative Declaration. Mitigation measures present in the Mitigation Monitoring and Reporting Plan will be implemented to ensure that the Project's impacts remain below levels considered significant. The impact determinations remain consistent with those presented in the 2008 Initial Study and Mitigated Negative Declaration. None of the factors listed in CEQA Guidelines Section 15162(a) are present; therefore, the addendum to the 2008 Initial Study and Mitigated Negative Declaration is an appropriate level of environmental review for the proposed project changes, as identified in CEQA Guidelines Section 15164.

Exhibit A

Docusign Envelope ID: 29B5AD05-D514-4CA5-9A57-E9726BFC1510

3. The Board of Supervisors adoption of the Addendum to a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) requires that mitigation measures be incorporated into the Project, and the Board of Supervisors finds that implementation of these mitigation measures will reduce any potentially significant effects of the proposed project to a less than significant level.

4. In adopting the Addendum to a Mitigated Negative Declaration, the Board of Supervisors 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 and Addendum reflect the lead agency's independent judgement and analysis.

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

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this _____ day of _____, 20___ by the following vote:

AYES: SUPERVISORS:
NOES: SUPERVISORS:
ABSENT: SUPERVISORS:
ABSTAIN: SUPERVISORS:

_____
Chairperson of the Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:
Signed by:
Natalie Kirkish
_____
D52DC6AA0E74498...
COUNTY COUNSEL

Exhibits:

- Addendum to the 2008 Initial Study and Mitigated Negative Declaration
- Mitigated Negative Declaration
- Mitigation Monitoring and Reporting Program

Exhibit A

Docusign Envelope ID: 29B5AD05-D514-4CA5-9A57-E9726BFC1510

Application #: 241488
APN: 029-021-47
Owner: PAZ LLC

ORDINANCE NO._____

ORDINANCE APPROVING AMENDMENTS TO A PLANNED UNIT DEVELOPMENT (ORDINANCE NO. 5027) AS ALLOWED BY SANTA CRUZ COUNTY CODE RELATING TO ESTABLISHMENT OF DEVELOPMENT STANDARDS FOR APN: 029-021-47

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Amendments to a Planned Unit Development (Ordinance No. 5027) are hereby approved to the property located at 5940 Soquel Avenue, in the Live Oak Planning Area, and shown on the map attached hereto and subject to the conditions attached hereto.

SECTION II

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Planned Unit Development as described in Section I, and adopts the following findings in support thereof as set forth below:

1. That any residential development shall contribute to the ongoing desirability and character of the surrounding neighborhood;
2. That the combination of different dwelling and/or structure types and the variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses, structures, and the natural environment in the vicinity;
3. That the permitted departures from the otherwise required development standards will provide specific benefits to the neighborhood and/or the community in which the planned unit development is located, and that such benefits are specified by the Board of Supervisors in connection with its approval of a planned unit development, and that any conditions required to achieve such benefits are incorporated into the project and made conditions of approval; and
4. That the proposed development is consistent with the General Plan/Local Coastal Program Land Use Plan.

SECTION III

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Development Permit associated with the Planned Unit Development as described in Section I, and adopts findings in support thereof as set forth below:

1. The proposed location of the project and the conditions under which it would be developed, operated, or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public and will not be materially injurious to properties or improvements in the vicinity.
2. The proposed location of the project and the conditions under which it would be developed, operated, or maintained will be in substantial conformance with the intent and requirements of all pertinent County ordinances and the purpose of the zone district in which the site is located.

Exhibit A

Docusign Envelope ID: 29B5AD05-D514-4CA5-9A57-E9726BFC1510

3. The proposed project is in substantial conformance with the intent, goals, objectives, and policies of all elements of the County General Plan and any specific plan which has been adopted for the area.
4. The proposed project complies with the requirements of the California Environmental Quality Act (CEQA) and any significant adverse impacts on the natural environment will be mitigated pursuant to CEQA.
5. The proposed use will not overload utilities, result in inefficient or wasteful use of energy, or generate more than the acceptable level of traffic on the streets in the vicinity.
6. The proposed use will be compatible with the existing and proposed land uses, land use intensities, and dwelling unit densities of the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.
7. The proposed development is designed and located on the site so that it will complement and harmonize with the physical design aspects of existing and proposed development in the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.
8. The proposed development is in substantial conformance with applicable principles in the adopted Countywide Design Guidelines, except as prohibited by site constraints, and any other applicable requirements of SCCC 13.11 (Site Development and Design Review).

SECTION IV

This ordinance shall become effective 31 days after adoption.

PASSED AND ADOPTED this _____ day of _____ 20_____ by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

_____
Chair of the Board of Supervisors

Attest: _____
Clerk of the Board

APPROVED AS TO FORM:
Signed by:
Natalie Kirkish
D52DC6AA0E74498...
County Counsel

Exhibit A

Planned Unit Development Permit
Conditions of Approval

Property located at 5940 Soquel Avenue, in the Live Oak Planning Area.
APNs: 029-021-47

Planned Unit Development 241488

Applicant: Soquel Ave Group LLC

Property Owner(s): PAZ LLC

Assessor's Parcel Number: 029-021-47

Property Address and Location: Property located on the south side of Soquel Avenue at 5940 Soquel Avenue in Live Oak

Planning Area: Live Oak

Exhibit E: Vesting Tentative Map for Condominium Purposes, prepared by CBG;
Preliminary Improvement Plans, prepared by CBG;
Architectural Plans, prepared by SDG Architects, Inc.;
Landscape Plans, prepared by HMH.

I. This permit authorizes the construction of a residential Planned Unit Development and Subdivision (for 100 residential units) as indicated on the approved Exhibit "E" for this permit and as modified by these conditions of approval.

II. Subdivision and Planned Unit Development

A. This subdivision and residential development, and all improvements associated with this project, shall be subject to the requirements of the Subdivision conditions of approval (under separate heading) and the Planned Unit Development (Ord. 5027), conditions of approval for this project, except for as modified by the Amendments to the PUD (241488) as specified per III below.

III. Amendments to PUD Ord. 5027 are approved as follows:

A. PUD Amendment to COA (I)(B)(1)(a)(iii) to reduce the parking requirement from 2.5 parking spaces to 2 spaces for three-bedroom units.

B. PUD Amendment to COA (I)B)(1)(a)(v) to reduce the guest parking requirement from 20% to 7.5%.

C. PUD Amendment to COA (I)(B)(1)(a)(vi) to remove the requirement to provide an on-site parking management plan prepared by a traffic engineer for consideration of the requested reduction to the required on-site parking standards by the Board of

Exhibit A

Supervisors as part of the Design Review Permit.

D. PUD Amendment to COA (I)(B)1)(a)(vii) to apply the standards for off-street parking as outlined by County Code Section 13.16.050, which has superseded County Code Section 13.10.554, at the time the application is deemed complete.

E. PUD Amendment to COA (I)(B)(1)(b) to amend circulation requirements for interior roadways from the minimum requirement of 50-foot centerline radii on all access routes to a centerline radii of 32 feet.

F. PUD Amendment to COA (I)(B)(2)(a)(i) removing the two-story restriction in specified areas of the project site as delineated in Exhibit A and described in Section I.B.4(c)(i) of the PUD ordinance in order to accommodate the three-story townhome-style development.

G. PUD Amendment to COA (I)(B)(3)(b)(iv) reducing the south rear yard setback for three-story structures from 20 feet to 15 feet, and allowing 3 feet of encroachment into the 15-foot rear yard setback for eves, gutters, roof overhangs and other architectural appurtenances.

H. PUD Amendment to COA (I)(B)(4)(c)(i) and (ii) removing height restriction of 28 feet and two stories within the minimum 15-foot setback adjacent to the southern property line and removing the requirement that buildings facing public roads incorporate features such as step-back heights, articulation, variations in finishes, glazing, building separation, and varied roof heights.

I. PUD Amendment to COA III(A) reducing the minimum affordable housing requirement from 40% to 15% subject to the requirements of County Code section 17.10.030(B) in order to be consistent with current affordable housing standards in the County Code.

J. PUD Amendment to COA III(D) removing specified affordable unit design and locational requirements, instead subjecting affordable units to the on-site standards set out in County Code Section 17.10.032.

K. PUD Amendment to COA (IV)(D)(3)(a)(i) removing the requirement that finished grade shall not exceed three feet above pre-construction existing grade.

IV. Design

A. Structure design, location, and construction shall conform to the approved Exhibit "E" for this permit. Any changes to structure design that increase or otherwise expand the structure so that it would not be in compliance with the standards specified in the approved Exhibit "E" for this permit and these Planned Unit Development conditions is not allowed.

Exhibit A

V. Amendments

A. During the Final Map recordation phase, or the initial buildout of the subdivision, adjustments to standards authorized by this Planned Unit Development that are needed to reflect real-world conditions may be authorized by Planning staff as a Minor Variation/Map Correction. Any such changes shall be in substantial conformance with the approved Planned Unit Development standards and shall be noted on a Certificate of Correction filed with the County Surveyor.

B. Future amendments or changes to the approved project, including structure designed, structure locations, and associated infrastructure shall be processed per the levels of review specified in Chapter 18.10 of the County Code or its successor ordinance, unless otherwise specified by these Planned Unit Development conditions of approval.

1. Future façade changes and/or modifications to the designed for the residential structures, that are in compliance with the standards specified in the approved Exhibit "E" for this permit and these Planned Unit Development conditions (and other applicable standards of the zone district), shall be allowed.

C. Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code or its successor ordinance.

Exhibit A

Planned Unit Development Findings

1. That any residential development shall contribute to the ongoing desirability and character of the surrounding neighborhood;

This finding can be made, in that the project proposes a high-density residential project on a site designated for high-density residential use. The County of Santa Cruz processed a PUD and associated Initial Study to identify the required conditions of approval for the construction of a by-right housing development of a total of 100 units on the project site. The project has been developed in conformance with Permit No. 07-0414, and PUD Ordinance No. 5027, as amended by this Permit. The project would result in improvements to the neighborhood by developing underutilized land with a clustered residential townhome-style development containing safe and efficient multimodal circulation within the project, a building massing design that is compatible with the surrounding context, and ample landscaping throughout the site. The proposed site design supports higher single-family densities and the project, as designed will contribute to the desirability and character of the surrounding neighborhood.

2. That the combination of different dwelling and/or structure types and the variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses, structures, and the natural environment in the vicinity;

This finding can be made, in that the project is located on a site designated for residential uses and the development, as proposed, will harmonize with existing and proposed uses in the vicinity and with the natural environment. As a townhome-style development, the project is appropriately located in a neighborhood that contains medium density residential development. The massing of the proposed project fits with the surrounding area, in that the site is bordered by medium density residential development and commercial development. The project frontage contains landscaping, softening the appearance of the development from the vantage point of the Soquel Avenue right-of-way.

3. That the permitted departures from the otherwise required development standards will provide specific benefits to the neighborhood and/or the community in which the planned unit development is located, and that such benefits are specified by the Board of Supervisors in connection with its approval of the PUD, and that any conditions required to achieve such benefits are incorporated into the project and made conditions of approval; and

This finding can be made, in that the project is consistent with the Planned Unit Development (PUD) standards as approved per Permit No. 07-0414 and PUD Ordinance No. 5027. The amendments to the approved PUD are specified to allow for the project as designed, to accommodate 100 by-right units, with necessary site improvements, amenities, landscaping, and site circulation.

The proposed Amendments are as follows:

1. PUD Amendment to COA (I)(B)(1)(a)(iii) to reduce the parking requirement from 2.5 parking spaces to 2 spaces for three-bedroom units.

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2. PUD Amendment to COA (I)B)(1)(a)(v) to reduce the guest parking requirement from 20% to 7.5%.

3. PUD Amendment to COA (I)(B)(1)(a)(vi) to remove the requirement to provide an on-site parking management plan prepared by a traffic engineer for consideration of the requested reduction to the required on-site parking standards by the Board of Supervisors as part of the Design Review Permit.

4. PUD Amendment to COA (I)(B)1)(a)(vii) to apply the standards for off-street parking as outlined by County Code Section 13.16.050, which has superseded County Code Section 13.10.554, at the time the application is deemed complete.

5. PUD Amendment to COA (I)(B)(1)(b) to amend circulation requirements for interior roadways from the minimum requirement of 50-foot centerline radii on all access routes to a centerline radii of 32 feet.

6. PUD Amendment to COA (I)(B)(2)(a)(i) removing the two-story restriction in specified areas of the project site as delineated in Exhibit A and described in Section I.B.4(c)(i) of the PUD ordinance in order to accommodate the three-story townhome-style development.

7. PUD Amendment to COA (I)(B)(3)(b)(iv) reducing the south rear yard setback for three-story structures from 20 feet to 15 feet, and allowing 3 feet of encroachment into the 15-foot rear yard setback for eves, gutters, roof overhangs and other architectural appurtenances.

8. PUD Amendment to COA (I)(B)(4)(c)(i) and (ii) removing height restriction of 28 feet and two stories within the minimum 15-foot setback adjacent to the southern property line and removing the requirement that buildings facing public roads incorporate features such as step-back heights, articulation, variations in finishes, glazing, building separation, and varied roof heights.

9. PUD Amendment to COA III(A) reducing the minimum affordable housing requirement from 40% to 15% subject to the requirements of County Code section 17.10.030(B) in order to be consistent with current affordable housing standards in the County Code.

10. PUD Amendment to COA III(D) removing specified affordable unit design and locational requirements, instead subjecting affordable units to the on-site standards set out in County Code Section 17.10.032.

11. PUD Amendment to COA (IV)(D)(3)(a)(i) removing the requirement that finished grade shall not exceed three feet above pre-construction existing grade.

The project's public benefits are incorporated into the project design and conditions of approval including the provision of 100 clustered townhome-style homes with 15 affordable units and construction of a new off-site sidewalk across the frontage of APN 029-021-39, which will result in improved pedestrian circulation improvements. The provision of housing at a density of 20

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units/acre shall be deemed a specific benefit adequate to satisfy this finding.

4. That the proposed development is consistent with the General Plan/Local Coastal Program Land Use Plan. [Ord. 5429 § 4, 2022].

This finding can be made, in that the project is consistent with the General Plan/Local Coastal Program Land Use Plan and the R-UH (Urban High Density) General Plan Designation. The subject parcel constitutes one of six sites rezoned by the County of Santa Cruz in 2007 to the "R" (Regional Housing Needs Site) Combining Zone District. The rezoning was undertaken to meet the Regional Housing Needs in accordance with state housing element law, as part of the 2009 Housing Element Update. Planned Unit Developments (PUDs) were developed for each of these six sites to allow for the by-right development of residential housing on the selected sites at a density of 20 units per acre.

The County of Santa Cruz processed a PUD and associated Initial Study to identify the required conditions of approval for the construction of a by-right housing development of a total of 100 units on APN 029-021-47. On December 9th, 2008, the Board of Supervisors approval Permit No. 07-0414, which included a PUD (Ordinance No. 5027), together with a General Plan Amendment (from "Service Commercial/Light Industry" (C-S) to "Residential Urban High" (R-UH), a Rezoning (from "Light Industrial (M-1) to "Multifamily Residential – 2,000 square foot minimum parcel size, Regional Housing Need Site" (RM-2-R), a Riparian Exception, and certified the Mitigated Negative Declaration under CEQA. The proposed development is consistent with the land use designation and PUD for the site. The subject property is not located in the Coastal Zone.

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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 the 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.

The proposed division of land, its design, and its improvements, will be consistent with the General Plan and consistent with the Planned Unit Development (PUD) standards as approved per Permit No. 07-0414 and PUD Ordinance No. 5027 and as amended. The project results in 100 condominium dwelling units located in the R-UH (Urban High Density Residential) General Plan land use designation. The project is consistent with the allowable density as set out in the PUD and the General Plan.

The project is further consistent with the General Plan in that the full range of urban services are available, including public water and sewer service.

All units will be accessed by a newly created interior roadway. The proposed roadway and sidewalk design provides adequate and safe vehicular and pedestrian access.

Therefore, this finding can be made.

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 and unit densities meet the minimum standards for the RM-2-R (Multifamily Residential - 2,000 square feet per dwelling unit – Regional Housing Need R Combining District) zone district where the project site is located. Sites that are designated as Regional Housing Need R Combining District shall be developed at 20 units per acre. The use and density shall be by right, in that the use and density for the site are not discretionary, for sites contiaining the Regional Housing Need R Combining District zoning. The project site is 4.97 acres in size. At at density of 20 units per acre, 100 units are allowed by right (4.97 acres x 20 units per acre = 99.4 units, per County Code Section 13.10.476(A), where such calculation results in a fractional number, the number shall be rounded up; therefore, 99.4 units rounds up to 100 units).

The PUD application (Permit No. 07-0414) made at the time of the rezoning to add the R Combining District included the development envelope and information on the massing, height, and intensity of development. The Planned Unit Development would allow the project, as designed, to provide three-bedroom units containing sufficient parking and open space, along with the necessary site improvements such as access. Three-bedroom homes are an attractive housing type for families, and the design of the townhome-style subdivision would be compatible with the housing types promoted by the zone district and PUD Ordinance No. 5027. The design of the

Exhibit B

subdivision and PUD also allows for the creation of an on-site wetland that will add to the ecological benefit of the project.

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 technical reports prepared and accepted for the property (including a geotechnical report and biotic report) conclude that the site is suitable for residential development, and the proposed units are properly configured to allow development of a residential subdivision. Additionally, the approved PUD Ord. 5027, provides the mechanism to ensure by-right development of the subject parcel for 100 dwelling units. Under the PUD application (Permit No. 07-0414) the project set development standards and included environmental review for the approved Rezoning, General Plan Amendment, and Riparian Exception included with the PUD proposal to ensure the by-right development of the project site.

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, as conditioned, no mapped or observed sensitive habitats or threatened species will be adversely impacted through the development of the site. Chapter 16.32 of the SCCC requires mitigation of impacts identified in a biotic assessment, and the recommendations in the project biotic assessment are included in the Conditions of Approval. Additionally, as required by the PUD and the CEQA Initial Study, physical constraints to the development have been mitigated through the requirements included with the PUD and its associated Mitigation Monitoring and Reporting Program (MMRP).

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

This finding can be made, in that as conditioned, municipal water and sewer services would be available to serve the proposed units. The proposed driveway and frontage improvements will comply with the Public Works Division standards and further meets all standards for safe multi-modal circulation. As designed, no serious health problems are anticipated to result from the proposed project.

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 subdivision, as designed, would not conflict with any such easements. A Memorandum of Understanding (MOU) was entered into on March 12, 2025 between the County and the Applicant regarding an intent to enter into a public utility and emergency vehicle access across APN 029-021-59.

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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 residential units are oriented to the extent possible to take advantage of solar opportunities.

9. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076) and any other applicable requirements of this chapter.

This finding can be made, in that the structures are sited and designed in conformance with the development standards set out in PUD Ord. 5027 and the proposed amendments to the PUD proposed by the project will allow for necessary site amenities such as circulation, drainage facilities, open space, and an artificial wetland to be associated with the site constraints of fitting 100 dwelling units on a 4.97-acre property. The surrounding neighborhood includes many commercial properties, which will help mitigate the 35-foot multifamily residential buildings.

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Discretionary Permit Findings

(a) Health and Safety. The proposed location of the project and the conditions under which it would be developed, operated, or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area that is fully developed, and is an infill site. As required by the PUD Ord. 5027 and the 2008 CEQA Initial Study/Mitigated Negative Declaration, the site is designated for residential uses and physical constraints to development have been mitigated through the requirements included in the approved PUD. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure that the project will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not be materially injurious to properties or improvements in the vicinity.

(b) Zoning Conformance. The proposed location of the project and the conditions under which it would be developed, operated, or maintained will be in substantial conformance with the intent and requirements of all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the use of the property will be residential, unit densities will meet the standards for the RM-2-R zone district where the project will be located, and the proposed amendments to the PUD Ord. 5027, will allow for the project as designed with necessary site amenities, to provide a by-right density of 20 units per acre for a total of 100 dwelling units, as well as 15 affordable dwelling units on the project site, which is a public benefit, per County Code Section 13.10.476(B).

(c) General Plan Conformance. The proposed project is in substantial conformance with the intent, goals, objectives, and policies of all elements of the County General Plan and any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential use is in substantial conformance with the use and density requirements of PUD Ord. 5027 and the R-UH General Plan Land Use Designation. The 2008 Initial Study/Mitigated Negative Declaration reviewed and evaluated issues associated with the all elements of the General Plan, and found no adverse impact that could not be mitigated to a less than significant level. Additionally, an Addendum to the Final Initial Study/Mitigated Negative Declaration (dated November 2008, 2008 IS/MND) was prepared for the proposed project by Integral Consulting Inc. (dated October 2025). The Addendum is necessary to address modifications to the approved PUD project. As demonstrated in the Addendum, the 2008 IS/MND continues to serve as the appropriate document for addressing the environmental impacts of the project pursuant to CEQA.

The project is further consistent with the General Plan in that the full range of urban services are available, including public water and sewer service.

The subdivision, as conditioned, will be consistent with the General Plan regarding infill development, in that the proposed residential development will be compatible with the pattern of

Exhibit B

surrounding development, and the design of the proposed residences is consistent with the character of the surrounding area.

A specific plan has not been adopted for this portion of the County.

(d) CEQA Conformance. The proposed project complies with the requirements of the California Environmental Quality Act (CEQA) and any significant adverse impacts on the natural environment will be mitigated pursuant to CEQA.

This finding can be made, in that environmental review has been performed for the proposed project per the requirements of the California Environmental Quality Act (CEQA). An Initial Study/Mitigated Negative Declaration was prepared in November 2008 (2008 IS/MND). The 2008 IS/MND adequately evaluates and mitigates all potentially significant impacts of the Project. An Addendum to 2008 IS/MND was prepared for the proposed project by Integral Consulting Inc. (dated October 2025). The Addendum is necessary to address modifications to the approved PUD project. As demonstrated in the Addendum, the 2008 IS/MND continues to serve as the appropriate document for addressing the environmental impacts of the project pursuant to CEQA. Approximately 0.041 acre (455 linear feet) of artificial wetlands and other waters would be impacted by the proposed project. The permanent loss of waters of the U.S. and/or State would be avoided through the creation of a 0.1-acre seasonal wetland at the northwest corner of the project site. The wetland will be seeded with native wetland vegetation and monitored for a period of at least five years to ensure successful replacement of functions and services, as it has been designed to exceed those of the existing artificial wetland. While project implementation would result in impacts to aquatic resources, the functions and values of these resources will be replaced onsite, and these impacts would be considered less than significant. Furthermore, permanent loss of aquatic resources does not exceed those considered in the 2008 IS/MND. As conditioned, the project would include the following additional materials to be prepared: a revised stormwater pollution prevention plan and Wetland Monitoring Plan.

There is no substantial evidence in the record that the project will have a significant effect on the environment.

(e) Utilities and Traffic Impacts. The proposed use will not overload utilities, result in inefficient or wasteful use of energy, or generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the site is served by full urban level services, and the level of traffic generated by the proposed project has been analyzed via a traffic report (Fehr & Peers Traffic Consultants) as part of the 2008 application (Permit No. 07-0414), and as conditioned, will provide an updated traffic report for the amended project scope, subject to the mitigations identified in the accepted traffic report. Therefore, as proposed and conditioned, the traffic associated with the proposed project will not adversely impact existing roads and intersections in the surrounding area.

The development is subject to Live Oak Transportation Improvement (TIA) fees at the current rate per the County Unified Fee Schedule, currently $4,200 for each new multifamily unit created.

The full range of urban services are available for the proposed project, including public water and

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sewer service.

(f) Neighborhood Compatibility. The proposed use will be compatible with the existing and proposed land uses, land use intensities, and dwelling unit densities of the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made, in that this site lies within the Urban Services Line, and that the structures built will be sited and design to be visually compatible, in scale with, and integrated with the character of the neighborhood at the by-right density established by PUD Ord. 5027 and the site's R-UH General Plan Designation.

(g) Local Coastal Program Consistency. For proposed projects located within the coastal zone, the proposed project is consistent with the provisions of the certified Local Coastal Program.

This finding is not required, in that the project site is not located within the coastal zone.

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Site Development Permit Findings

(a) Siting and Neighborhood Context. The proposed development is designed and located on the site so that it will complement and harmonize with the physical design aspects of existing and proposed development in the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made, in that the proposed multifamily project is designed and located on the site in a manner that will complement and harmonize with the physical design aspects of existing and proposed development in the neighborhood, as set out by the PUD standards as approved per Permit No. 07-0414 and PUD Ordinance No. 5027. The amendments to the approved PUD are specified to allow for the project as designed, to accommodate 100 by-right units, with necessary site improvements, amenities, landscaping, and site circulation.

(b) Design. The proposed development is in substantial conformance with applicable principles in the adopted Countywide Design Guidelines, except as prohibited by site constraints, and any other applicable requirements of SCCC 13.11 (Site Development and Design Review). If located in the Coastal Zone, the site plan and building design are also in substantial conformance with the policies of the Local Coastal Program and coastal regulations of SCCC 13.20.

This finding can be made, in that the proposed multifamily is in substantial conformance with the requirements of the County Design Review Ordinance. The proposed project will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the subject property and reduce the visual impact of the proposed development on surrounding land uses. The proposed development consists of 17 buildings, each containing three stories, that are designed in an attached townhome style, with associated site and off-site improvements. The building massing would follow a linear arrangement, as is typical for townhome developments, and will essentially be mirrored on either side of interior roadways containing a width of 24 feet, with several segments (alleys & EVA) containing a minimum width of 20 feet. The interior roadway provides access extending from Soquel Avenue to all units throughout the project site. The PUD calls for “village” clustering in site design. The townhome-style buildings and multimodal connectivity throughout the project site and shared common areas achieve this concept well, given the space constraints of the size of the site to accommodate the 100 by-right units. The buildings all contain similar floor plans, with some buildings providing reverse floor plans and variation in the balcony and patio sizes and orientations. Landscaping is proposed throughout the development, wrapping private yards of the units, lining interior roadways, and wrapping the periphery of the project site and frontage. The project would include planting of approximately 179 trees. The proposed project contains 100 by-right residential units, is infill development within the County’s urban services line, which is encouraged by the County General Plan and County Code, and all utilities are available to serve the proposed development.

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Subdivision & Residential Development Permit
Conditions of Approval

Property located at 5940 Soquel Avenue, in the Live Oak Planning Area.
APNs: 029-021-47

Subdivision & Residential Development Permit 241488

Tract No.: 1623

Applicant: Soquel Ave Group LLC

Property Owner(s): PAZ LLC

Assessor's Parcel Numbers: 029-021-47

Property Address and Location: Property located on the south side of Soquel Avenue at 5940 Soquel Avenue in Live Oak

Planning Area: Live Oak

Exhibit E: Vesting Tentative Map for Condominium Purposes, prepared by CBG;
Preliminary Improvement Plans, prepared by CBG;
Architectural Plans, prepared by SDG Architects, Inc.;
Landscape Plans, prepared by HMH.

All correspondence and maps relating to this subdivision and residential development shall carry the permit number noted above.

I. This permit authorizes the construction of a Planned Unit Development and Subdivision as indicated on the approved Exhibit "E" for this permit. Prior to exercising any rights granted by this Approval, the owner shall:

A. Sign, date, and return to the Planning Division one copy of the approval to indicate acceptance and agreement with the conditions thereof.

II. Subdivision and Planned Unit Development

A. This subdivision and residential development, and all improvements associated with this project, shall be subject to the requirements of the Subdivision conditions of approval and the Planned Unit Development conditions of approval (under separate heading) for this project.

III. A Final Map for this subdivision shall be recorded prior to the expiration date of the tentative map and prior to sale, lease or financing of any new lots. The Final Map shall be submitted to the County Surveyor (Public Works Division) for review and approval prior to recordation. No improvements, including, without limitation, grading and vegetation removal, shall be undertaken prior to recording the Final Map unless such improvements

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are allowable on the parcel as a whole (prior to approval of the land division). The Final Map shall meet the following requirements:

A. The Final 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 one hundred (100) residential condominiums, and common area for access, utilities, and landscaping.

C. The following items shall be shown on the Final Map:

1. Building envelopes, common area and/or building setback lines shall be located according to the approved Tentative Map and Planned Unit Development permit conditions of approval.

2. A note stating that any common area parcels are "not a building site" shall be added to the Final Map.

3. The owner's certificate shall include:

   a. A dedication of the common area as a public utilities easement.

4. Recordation of a Public Utility and Emergency Vehicle Easement on Assessor's Parcel Number 029-021-59 in conformance with the Memorandum of Understanding entered into on March 12, 2025, between the County and the Applicant.

D. The following requirements shall be noted on the Final Map as items to be completed prior to obtaining a building permit, or no sooner than final inspection if required by Government Code Section 66007, on lots created by this subdivision:

1. New parcel numbers for all of the parcels shall be assigned by the Assessor's Office prior to application for a Building Permit on any parcel created by this land division, unless this requirement is waived by the Building Official.

2. Lots shall be connected for water service to the City of Santa Cruz Water District. All regulations and conditions of the water district shall be met.

3. Lots shall be connected for sewer service to Santa Cruz County Sanitation District. All regulations and conditions of the sanitation district shall be met.

4. Demolition Permit(s) shall be obtained from the County of Santa Cruz Building Official for the existing structures.

5. Construction on the lots shall conform to the Architectural Floor Plans and Elevations as stated or depicted in the approved Exhibit "E".

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6. All future development on the lots shall comply with the requirements of the approved geotechnical report(s).

7. Prior to building permit issuance for any dwelling, 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 shall be submitted.

8. Prior to any building permit issuance or ground disturbance, a detailed erosion control plan shall be reviewed and approved by the Public Works and Planning Divisions. Earthwork between October 15 and April 15 requires a separate winter grading approval from Environmental Planning that may or may not be granted. The erosion control plans shall identify the type of erosion control practices to be used and shall include the following:

   a. An effective sediment barrier placed along the perimeter of the disturbance area and maintenance of the barrier.

   b. Spoils management that prevents loose material from clearing excavation, and other activities from entering any drainage channel.

9. Any changes from the approved Exhibit "E", including but not limited to the Tentative Map, Preliminary Improvement Plans, or the attached exhibits for architectural and landscaping plans, must be submitted for review and approval by the Planning Division. Changes may be forwarded 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. Any changes that are shown on the final plans which do not conform to the project conditions of approval shall be specifically illustrated on a separate sheet and highlighted in yellow on any set of plans submitted to the County for review.

IV. Prior to recordation of the Final Map, or no sooner than final inspection if required by Government Code Section 66007, 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. Pay any outstanding balance due to the Planning Division.

C. Meet all requirements of the Santa Cruz County Sanitation District including, without limitation, the following conditions:

1. Submit and secure approval of an engineered sewer improvement plan providing sanitary sewer service to each parcel.

Exhibit C

2. Pay all necessary bonding, deposits, and connection fees, and furnish a copy of the CC&Rs to the district.

3. The proposed sewer layout includes a private sewer collector on a neighboring parcel (APN 02902156). The Applicant shall obtain and submit the recorded sewer easement.

4. An Operation and Maintenance Agreement shall be submitted outlining the limits of responsibilities between the respective lot owners and the association for the private sanitary sewer collection system and laterals. Requirements outlined in Santa Cruz County Sanitation District Code 7.04.325 shall be addressed in the maintenance agreement. The final Operation and Maintenance Plan shall be recorded.

D. Meet all requirements of the Public Works Division – Stormwater Management section including, without limitation, the following conditions:

1. Zone 5 Flood Control District storm water drainage impact fees shall be paid based on the square footage of impervious and pervious surfaces, unless waived or credited. The project has requested a waiver to onsite flood control mitigations requirements as well as a fee credit for Zone 5 impervious area impact fees. Both the waiver and fee credit are acceptable, contingent upon:

   a. The project constructing the storm drain system in Soquel Avenue from the project frontage to Rodeo Gulch.

   b. Detailed drainage analysis demonstrating that the proposed storm drain line is sized to adequately handle runoff from the upstream watershed as well as runoff from the project site and the adjacent parcel (APN 029-021-46) considering full build out of these areas based on current zoning, and future offsite development maintaining current drainage patterns and runoff rates in accordance with County Code. The analysis shall result in parcel watershed contribution volumes by percentage, and the applicant's percentage shall include the needed capacity to meet County flood control site standards.

   c. Approval by the Zone 5 Board of Directors to allow the impervious area impact fee to be credited toward the developer's share of the pipeline construction costs.

   d. County Board of Supervisors' approval of a developer agreement for construction of the off-site storm drain system and provisions for reimbursement of the non-developer portion of the project cost. The agreement shall require the applicant pay their own share of the pipeline costs based on their volumetric percentage of the flow (including needed capacity to meet County flood control site standards).

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2. Provide a completed Project Information & Threshold Determination Form (Appendix A).

3. Provide information on phasing for project construction and/or implementation (project threshold shall be determined based on the total impact of all phases of a phased project). Describe what work will be completed as part of the land division as shown on the final improvement plans and what work will be constructed under separate building, grading and or encroachment permit/s.

4. Provide final dated, signed and stamped Stormwater Management Plan (SWP)/Civil Improvement Plans consistent with the requirements in Part 3 and Appendix D of the County Design Criteria (CDC) for large land division, building, and grading permits.

   a. Plans shall include adequate construction level details including scheduling and phasing. Plans shall note that the installation of the storm drain in Soquel Avenue shall be the first order of work and shall be completed prior to any other grading, disturbance or development on the project site and shall be completed outside of the winter grading season.

   b. Provide final details, materials, specifications and methods and phasing of construction. The design and materials shall be consistent with Section J – Storm Drain Facilities.

   c. The project includes reliance on a pump with overflow that will bypass water quality treatment in case of pump failure or flows in excess of pump capacity. Update the design so that in case of pump failure the system will back up to the surface of the biofiltration basin prior to discharge from the site. The overflow connection shall be moved out of the manhole with the pump. Please also update the pump manhole to include openings at the bottom to allow the slow infiltration of nuisance water at the bottom of the structure to avoid vector control issues and meet the 48 hour drain time requirements in the CDC.

   d. If feasible, the proposed wetland shall be constructed to meet the biofiltration treatment system requirements in the CDC. Otherwise, the detail for the raised flow through planter shall be updated to meet the minimum 24 inches of biofiltration soil depth.

   e. All inlets on the site shall be marked “No Dumping Drains to Bay” or equivalent. These markings shall be maintained by the property owner and be included in the maintenance agreement.

Exhibit C

f. The final design and type of inlet, full trash capture device, and outfall installed in Soquel Avenue above the outfall to Rodeo Gulch shall be coordinated with and approved by County Road Maintenance staff.

g. No changes to the final approved drainage improvements or impervious area coverage is allowed without prior approval from the County.

5. The Final Map/ Improvement Plans shall include the following:

a. Identify existing and proposed easements on the stormwater management plan and include reference to associated recorded document/s. Private drainage easements shall be provided for all common drainage facilities (see Section E of the Design Criteria for requirements). The map shall identify the private party/ies responsible for maintenance of the Private Storm Drain Easements.

b. Shall include language to keep private drainage facilities free and clear of buildings or structures of any kind.

c. Include acknowledgement that no additional impervious area coverage beyond the limits shown shall be constructed without prior permits and/or approval by the County of Santa Cruz.

6. Provide a final dated, signed and stamped Stormwater Management Report with all required elements outlined in Appendix D. This shall include impervious area coverage, location and type of stormwater mitigation, and preliminary evaluation demonstrating feasibility of compliance with CDC requirements for water quality and flood control mitigations. At a minimum, the report shall address the methods for complying with these items: i. Minimize Stormwater Pollutants of Concern, ii. Site Design and Runoff Reduction Measures, iii. Stormwater Discharge Rates and Volumes.

a. Provide analysis for the proposed offsite system demonstrating that the proposed storm drain line is sized to meet the CDC criteria, Part 3 Sections I, J and K considering the upstream watershed as well as runoff from the project site and the adjacent parcel (APN 029-021-46) considering full build out of these areas based on current zoning.

b. Provide analysis for the proposed onsite storm drain system demonstrating compliance with the CDC Part 3 Sections I, J and K.

c. Provide analysis for the proposed outfall to Rodeo Gulch demonstrating compliance with CDC Part 3 Sections K.5.

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d. Provide guidance from the project geotechnical engineer on the feasibility of using pervious or semi-impervious surfaces and provide design guidance for use. Provide analysis justifying the statement of technical infeasibility or update plans to incorporate pervious/semipervious surfaces the maximum extent feasible consistent with the Site Design and Runoff Reduction Requirements in Part 3 Section D.3.c.v.(2).

e. Provide evaluation from the project geotechnical engineer on the expected high groundwater elevations near the biofiltration facility/ies demonstrating a minimum 5-foot separation.

f. Documentation demonstrating technical infeasibility if design consistent with any portion of these Design Criteria is anticipated to not be achieved. Technical justification shall be included as to why retention treatment systems are infeasible and why the "wetland" area west of Building No. 1 cannot be constructed to meet biofiltration treatment system criteria.

7. Provide final approval from the project geotechnical engineer for the project plans.

8. Provide landscape and architectural plans with surfacing, grading, and drainage information for review for consistency with the civil plans.

9. Recorded maintenance agreement for the maintenance of the stormwater management and mitigation facilities is required. Include a figure showing the project site, location of each stormwater mitigation facility and associated drainage area as an attachment to the maintenance agreement. Include in an attached table/checklist the detailed management activities, maintenance requirements, schedule, signs of system failure, maintenance intervals, photo documentation and responsible party both in the recorded maintenance agreement as well as the final plans (this table/checklist shall be completed and included with the annual maintenance report sent to the County). Include appropriate source control BMPs and operation procedures/restrictions needed for compliance with the CDC. The maintenance agreement shall include the standard language provided in Fig. SWM-25B of the CDC. The checklist/s and annual reports shall include surface infiltration testing results for the biofiltration and flow through planter facilities. The first year annual report with photo and test result documentation is required prior to acceptance of the final improvements/final of the building permit.

10. If the drainage facilities will be maintained by a homeowner's association (HOA) provide the CC&Rs for the HOA that reference or include the recorded maintenance agreement.

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11. Zone 5 fees will be assessed on the net increase in permitted impervious area following the Unified Fee Schedule in place at building permit issuance. Reduced fees (50%) are assessed for semi-pervious surfacing without liners (such as gravel, base rock, paver blocks, porous pavement, etc.) to offset costs and encourage more extensive use of these materials. For credit for existing impervious area provide documentation that demonstrates the impervious area was installed with a previously approved permit or were built prior to establishment of Zone 5 in 1969. Based on previously provided site assessment there are no permitted buildings on the site. The waiver of these fees due to the project's construction of the new storm drain system in Soquel Avenue is supported by Zone 5 staff. The waiver request requires approval by the Zone 5 Board of Directors.

12. County staff will inspect the construction of the drainage related items. Provide the engineer's estimate for the construction of the drainage items (there is a 3% inspection fee) for any/all drainage facilities that will be constructed under a building, grading and/or encroachment permit. A hold will be placed on the building/grading/encroachment permit for a preconstruction meeting with the Public Works Construction Engineer (please contact at least 48 hours prior to construction to schedule the preconstruction meeting at: dpwcminspection@santacruzcounty.us). A second hold will be made for approval of the final construction by the Public Works Construction Inspector.

E. Meet all requirements of the Public Works Division – Road Engineering section including, without limitation, the following conditions:

1. Prior to recordation of the Final Map, the applicant shall submit a Traffic Impact Study. The Traffic Impact Study shall meet all requirements of the Public Works Road Engineering section, and it shall identify any necessary mitigation measures and the project's fair-share contribution toward those mitigations. Project will be required to pay the fair share contributions identified within the study. The following intersections shall be evaluated:

    a. Driveway entrance / Soquel Avenue
    b. Soquel Avenue / Chanticleer Avenue
    c. Soquel Avenue / 17th Avenue
    d. Soquel Avenue / Mattison Lane
    e. Gross Road / 40th Avenue
    f. Gross Road / 41st Avenue
    g. Southbound Highway 1 off-ramp near Soquel Drive
    h. Soquel Drive / Soquel Avenue
    i. Capitola Road / 17th Avenue
    j. Capitola Road / Chanticleer Avenue
    k. Chanticleer Avenue / Mattison Lane

2. Right of way requirements on Soquel Ave: The standard for Soquel Avenue shall be 0.625-foot curb, 7-foot westbound bike lane (enhanced), 12 foot

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travel lane, 12-foot center turn lane, 12-foot travel lane, 7-foot eastbound bike lane (enhanced), 4.625-foot landscaping strip, and 6-foot sidewalk. Where the existing Right-of-Way cannot accommodate the standards listed above, a dedication of a Public Right-of-Way easement will be required to accommodate the following: 0.625-foot curb, 7-foot westbound bike lane (enhanced), 12 foot travel lane, 12 foot center turn lane, 12-foot travel lane, 7-foot eastbound bike lane (enhanced), and 6.625-foot curb and sidewalk.

3. Improvement requirements on Soquel Avenue: On Soquel Avenue, provide sidewalk connection to the west, in front of Live Oak Business Park and transition to 0.625-foot curb, 7-foot westbound bike lane (enhanced), 12-foot travel lane, 12-foot center turn lane, 12-foot travel lane, 7-foot eastbound bike lane (enhanced), 4.625-foot landscaping strip, and 6-foot sidewalk. Another transition shall be required on the eastern side. The sidewalk connection to the west will be subject to the conditions of County Code Section 14.01.513. The Applicant can receive credit for these improvements against the Transportation and Roadside Improvement Area fees at the rate listed within the Unified Fee Schedule.

4. Secondary access to the site shall be provided as Emergency Only and negotiated as an easement with the owner of APN 029-021-59, directly to the west.

5. The privately-owned and maintained roads shall be identified on the Final Map as publicly accessible with a public ingress/egress easement for visitors, deliveries, services, trash/recycling/waste pickup. The easement shall be for all roads including any turnaround, and any public visitor parking areas.

F. A Homeowners Association (HOA) shall be formed for maintenance of all areas under common ownership including sidewalks, roadways, all landscaping, drainage structures, water lines, sewer laterals, fences, and buildings. A copy of the CC&R's shall be provided to the Planning Division and shall include the following, which are permit conditions:

1. Any landscaping within the public right of way fronting the property shall be permanently maintained by the Homeowners Association.

2. All drainage structures, including retention and detention facilities, shall be permanently maintained by the Homeowners Association.

G. Guest parking spaces shall be for visitors only. Signage shall be installed to read, “Visitor Parking Only”.

H. Engineered improvement plans for all water line extensions required by the City of Santa Cruz Water District shall be submitted for the review and approval of the water district.

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I. 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.

J. All requirements of the Central Fire Protection District shall be met.

K. All requirements of the Environmental Planning Section shall be met, including the following:

1. A copy of the Biotic Review letter (REV241245), dated October 6, 2025, including all attachments, shall be submitted with any future permit applications.

2. To reduce potential impacts to sensitive habitats and special-status species that may result from artificial light, the following shall be adhered to:

   a. The project shall avoid the installation of any non-essential artificial lighting.

   b. All essential outdoor lighting shall be limited through the use of timers and/or motion sensors.

   c. All essential outdoor lighting shall be shielded, cast downward, and directed such that it does not shine off the property into surrounding areas, other parcels, or the night sky.

3. No work shall occur within a County-defined Riparian Corridor unless the Riparian Exception Findings are met, and a Riparian Exception is authorized.

4. Impacts to riparian woodland habitat including removal of trees and native understory vegetation shall be avoided and minimized to the maximum extent possible. Avoidance of mature oak trees shall be considered priority. Trees to be retained shall be protected at or outside of the dripline. If work must occur within the dripline of retained trees, impacts shall be evaluated by a licensed arborist and protective measures, as recommended by the arborist, shall be adhered to.

5. The new seasonal wetland shall be identified as a “Protected Habitat Area” and protected through placement of permanent fencing and signs to prevent trespassing after construction is complete.

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6. To ensure that impacts have been accurately and consistently evaluated and to demonstrate compliance with Santa Cruz County's requirement to avoid and minimize impacts, the following shall be adhered to:

   a. A final Project Impact Analysis prepared by a qualified biologist and/or arborist shall be submitted with the building permit application for review and approval by Environmental Planning Staff. The Impact Analysis must be consistent with the final project plans and must include the following minimum elements:

      i. Discussion and table with the final calculations for project impacts to sensitive habitat including:

      ii. Areas of temporary and permanent impact to riparian habitat associated with the storm drain outfall.

      iii. Areas of temporary and permanent impact to wetland habitat.

   a. Discussion of tree impacts including:

      i. Species, size, location, and quantity of trees that will require removal for installation of the proposed storm drain outfall. (i.e. unavoidable tree removals; numbers must be consistent with project plans).

      ii. Potential impacts to trees proposed for retention where work may occur within the dripline and tree protective measures provided by a licensed arborist.

   b. Explanation of how avoidance and minimization of impacts to sensitive habitats were achieved through project design and site selection and reasons for unavoidable impacts to sensitive habitats.

7. To comply with Santa Cruz County General Plan Policy ARC-3.2.1 and SCCC Section 16.32.090 (B)(3), and to compensate for impacts to sensitive habitat that will result from the project, the following shall be adhered to:

   a. All areas temporarily disturbed in the riparian woodland shall be re-vegetated with native plant species with the purpose of restoring the native plant structure and species composition of surrounding native habitat.

   b. Creation of a new seasonal wetland with a minimum area of 0.1-acre shall be created within the project site.

   c. Riparian Habitat permanently impacted as a result of the storm drain outfall shall be compensated for through in-kind habitat restoration at a minimum 3:1 ratio on site or at an approved offsite location.

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d. Oak trees removed or otherwise permanently impacted as a result of the project shall be compensated for through in-kind replacement plantings onsite or at an approved off-site location at the following ratios: Trees between 6 and 23.5 inches DBH shall be replaced at 3:1 ratio. Trees 24 inches or greater DBH shall be replaced at 5:1.

e. A Habitat Restoration and Mitigation Plan prepared by a qualified biologist or restoration specialist must be submitted with the permit application for review and approval by Environmental Planning Staff. The Restoration Plan should be focused on restoring/establishing native plant structure and species composition and enhancing the functional capacity and biological productivity of seasonal wetland habitat and riparian habitat and must include the following minimum elements:

i. A table with the final post-construction permanent and temporary impact calculations.

ii. A map of all designated restoration areas on site showing:

(1) Identification of areas on site where temporary disturbance and re-establishment of native habitat shall occur.

(2) Identification of additional restoration areas intended to compensate for permanently impacted sensitive habitat including riparian habitat and the new seasonal wetland.

(3) The final building envelope (permanent impact area).

iii. Methods for establishment of riparian woodland habitat which may include a combination of active planting and passive restoration treatments to promote natural re-establishment of certain native woodland plant species.

iv. Methods for creation/establishment of a seasonal wetland which shall include the following minimum elements:

(1) Confirmation that the geotechnical properties of the underlying and surrounding soil support the seasonal hydrology (water retention) required for wetland function.

(2) A plant palette including both container plants and wetland seed mix developed to match anticipated hydrologic conditions within the new wetland basin

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along the wetland fringe and the pool-bottom. The wetland fringe shall include species adapted to drier, periodically saturated conditions. The pool-bottom shall support species tolerant of prolonged inundation.

v. Methods for ongoing management of the seasonal wetland which shall identify the responsible party for maintenance in perpetuity.

vi. A planting plan with species, size, and locations of all restoration plantings needed to establish native plant structure and species composition of restored native habitat. The planting plan shall include appropriate wetland plantings as outlined above and the replacement trees required under Condition IV.K.7.d. Other plantings shall occur at sizes and ratios determined by the restoration specialist to adequately establish native habitat while maximizing plant health and survivability of individual plants.

vii. Plan for removal of non-native species on the parcel and a management strategy to control re-establishment of invasive non-native species commensurate with the scale of the proposed development.

viii. Information regarding the methods of irrigation for all restoration plantings.

ix. A plan showing the placement of split rail fencing and location of signs as needed to delineate the Protected Habitat Areas in the field and prevent trespassing. The location of fencing and number and location of protective signs shall be confirmed by the biologist based on site conditions and maximum protection of these habitat areas.

x. Any seed mix used for erosion control purposes on temporarily impacted areas and exposed soils shall be limited to seeds of native species common to the surrounding or restored habitat and/or sterile seeds.

xi. A 5-year Management Plan for maintenance and monitoring of restored areas, including a proposed mechanism for evaluating success.

xii. Identification of any off-site location required for replacement tree plantings including a map of all designated

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restoration areas on that site and a planting plan with species, size, and locations of all restoration plantings.

(1) Property owner approval for a deed restricted mitigation site must be provided for any off-site mitigation locations. An agreement for ongoing access to monitor and maintain the plantings for the required monitoring period must also be included.

xiii. Annual reports outlining the progress and success of the restoration and monitoring shall be submitted to the County Restoration Coordinator: restoration.coordinator@santacruzcountyca.gov by December 31 of each monitoring year.

8. The final plans shall include the following:

a. The development footprint delineated with a thick bold line. The development footprint (total project impact area) encompasses the building envelope (permanent impact area; structures and paving) and all temporary disturbance associated with a project including grading, installation of utilities, installation of the stormwater pipe and outfall area, access routes, deposition of refuse or debris, and areas needed for creation and management of defensible space. The development footprint shall mark the limits of work within which all temporary and permanent disturbance associated with the project may occur.

b. Native trees to be retained near or within the project impact area shall be identified on the plans and labeled for protection.

c. Tree protection specifications and measures provided by a certified arborist to reduce impacts to retained trees shall be listed.

d. Everything outside of the development footprint shall be marked on the plans for avoidance during construction and fenced or flagged as outlined in the construction conditions below.

e. The entire area within the new 0.1-acre seasonal wetland shall be clearly designated and labeled as “Protected Habitat Area- seasonal wetland” on the project plans. The planting palette on the project plans shall match the requirements outlined in Condition IV.D above.

f. A plan sheet showing any required onsite restoration or mitigation planting areas.

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g. The Biotic Conditions of Approval (Biotic Review letter (REV241245), dated October 6, 2025) shall be included on the project plans.

L. Park dedication in-lieu fees shall be paid for eighty-five (85) dwelling units. The 15 deed-restricted affordable units are exempt from Park dedication in-lieu fees. These fees are currently $9,219 per multifamily dwelling unit but are subject to change. Additional Park dedication in-lieu fees shall be calculated based on the habitable square footage of the proposed dwellings and paid at Building Permit issuance for the new construction per the Unified Fee Schedule.

M. Add a note to the Final Map that Child Care development fees shall be paid for eighty-five (85) multifamily dwelling units. The 15 deed-restricted affordable units are exempt from Child Care development fees. These fees are currently $0.28 per square foot but are subject to change. Child Care development fees shall be calculated and paid at Building Permit issuance for the new construction per the Unified Fee Schedule.

N. Transportation improvement fees shall be paid for one hundred (100) multifamily dwelling units. These fees are currently $2,100 per unit but are subject to change.

O. Roadside improvement fees shall be paid for one hundred (100) multifamily dwelling units. These fees are currently $2,100 per unit but are subject to change.

P. Prior to recordation of the Final Map, the applicant shall enter into an Affordable Housing Participation Agreement in a form provided by the County Housing Division to set forth all required details for development and sale of the affordable units in the project compliant with SCCC Chapters 17.10 and 17.12. The Agreement shall be recorded against the project site prior to recordation of a Final Map or issuance of a Building Permit for the project, whichever occurs first.

1. The applicant shall provide fifteen (15) designated affordable units for sale. The units shall be restricted for sale to moderate-income households.

2. Owner/seller shall coordinate with County Housing Staff to implement a random drawing to select buyers of affordable units, as set forth in the Agreement referenced above.

3. Comply with the conflict-of-interest provisions in SCCC 17.10.

Q. Submit and secure approval of engineered improvement plans from the Public Works Division and the Planning Division for all roads, curbs and gutters, storm drains, erosion control, and other improvements required by the Subdivision Ordinance, noted on the attached tentative map and/or specified in these conditions of approval. A subdivision agreement backed by financial securities (equal to 150 percent 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.

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1. All improvements shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria except as modified in these conditions of approval. Plans shall also comply with applicable provisions of the State Building Code regarding accessibility.

2. The proposed interior access road, sidewalks, and frontage improvements shall be constructed per the approved improvement plans for this permit, except as modified by these conditions and approved per the Amendments to PUD Ord. 5027 to vary from County standards.

3. 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 Public Works Division and shall be submitted to Environmental Planning staff for review and approval prior to recording of the Final Map.

R. Submit a final Landscape Plan for the entire site for review and approval by the Planning Division and the local water district. The landscape plan shall specify plant species, their size and location, and shall include irrigation plans, which meet the following criteria and must conform to all water conservation requirements of the City of Santa Cruz water conservation regulations:

1. Turf Limitation. Turf area shall not exceed 25 percent of the total landscaped area. Turf area shall be of low to moderate water-using varieties, such as tall or dwarf fescue.

2. Plant Selection. At least 80 percent of the plant materials selected for non-turf areas (equivalent to 60 percent of the total landscaped area) shall be well-suited to the climate of the region and require minimal water once established (drought tolerant). The use of trees and native plants is encouraged in appropriate locations. Up to 20 percent of the plant materials in non-turf areas (equivalent to 15 percent of the total landscaped area), need not be drought tolerant, provided they are grouped together and can be irrigated separately. Invasive species such as acacia, pampas grass, broom, etc., should not be used and should be eliminated if already present.

3. Soil Conditioning. In new planting areas, soil shall be tilled to a depth of six inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention. After planting, a minimum of two inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation and inhibit weed growth.

4. Irrigation Management. All required landscaping shall be provided with an adequate, permanent and nearby source of water which shall be applied by an installed irrigation, or where feasible, a drip irrigation system. Irrigation

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systems shall be designed to avoid runoff, overspray, low head drainage, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures.

a. The irrigation plan and an irrigation schedule for the established landscape shall be submitted with the building permit applications. The irrigation plan shall show the location, size and type of components of the irrigation system, the point of connection to the public water supply and designation of hydrozones. The irrigation schedule shall designate the timing and frequency of irrigation for each station and list the amount of water, in gallons or hundred cubic feet, recommended on a monthly and annual basis.

b. Appropriate irrigation equipment, including the use of a separate landscape water meter, pressure regulators, automated controllers, low volume sprinkler heads, drip or bubbler irrigation systems, rain shutoff devices, and other equipment shall be used to maximize the efficiency of water applied to the landscape.

c. Plants having similar water requirements shall be grouped together in distinct hydrozones and shall be irrigated separately.

d. Landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative water loss.

5. Site Furniture and Fixtures. Outdoor furniture and fixtures such as lighting, freestanding signs, trellises, raised planters, benches, trash receptacles, and fencing shall be compatible with project architecture, shall be integral elements of the building and landscape design, and shall be included in, and shown on, all site and landscape plans.

S. All planting shall conform to the landscape plan shown as part of Exhibit "E".

II. Prior to any site disturbance or physical construction on the subject property the following conditions shall be met:

A. A Soil Management Plan must be submitted to the County Environmental Health Department, Environmental Cleanup Program (ECP) to address any contaminated soil identified on-site. Additionally, a mitigation and/or remediation plan for elevated soil gas to indoor air must be provided to ECP for the associated cleanup case at the Multi-Tenant Commercial Property (5940 Soquel Ave, Santa Cruz; Env Case# RO0000400; GeoTracker ID# T10000019844)

B. Pre-Construction Meeting: In order to ensure that biotic conditions of approval are communicated to the various parties responsible for constructing the project. Prior to any disturbance on the property, the applicant shall convene a pre-construction meeting on the site. The meeting shall involve all relevant parties including the

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project applicant, construction supervisor, grading contractor supervisor, project arborist, project biologist, and Santa Cruz County Environmental Planning staff.

C. Prior to commencement of construction, high visibility fencing and/or flagging shall be installed with the assistance of a qualified biologist and/or arborist around all sensitive habitat areas to indicate the limits of work and prevent inadvertent grading or other disturbance within the adjacent sensitive habitat.

1. No work-related activity including equipment staging, vehicular access, grading and/or vegetation removal shall be allowed outside the designated limits of work.

2. Native trees to be retained near or within the project impact area shall be identified, protected with high visibility fencing at or outside of the dripline, and avoided during construction as sensitive habitat unless additional protection measures, provided by a qualified arborist, have been reviewed and approval by Environmental Planning Staff.

D. The fencing shall be inspected and maintained daily until project completion.

E. Prior to commencement of construction every individual working on the Project must attend biological awareness training by a qualified biologist prior to working on the job site. The training shall include, at minimum, information regarding the following:

1. Location and identification of sensitive habitats and all special-status species with potential to occur in the project area.

2. The importance of avoiding impacts to sensitive habitats, and the steps necessary if any special-status species is encountered at any time.

3. Best management practices to be implemented, identification of the limits of work, and project-specific avoidance measures and permit conditions that must be followed.

F. The following recommended Avoidance and Minimization Measures for special status species outlined in Section 8.3.2 of the attached Biotic Report dated August 2025 prepared by Integral Consulting Inc., shall be adhered to:

1. If construction and tree removal activities must occur during the migratory bird nesting season (February 1 through September 15), an avian nesting survey of the Project site and accessible contiguous habitat within 300 feet of all impact areas shall be conducted for active nests of protected migratory birds. The avian nesting survey shall be performed by a qualified wildlife biologist within 7 days prior to the start of ground or vegetation disturbance or building demolition activities. If an active bird nest is found, the nest shall be flagged and mapped on the construction plans, along with an appropriate no disturbance buffer, which shall be determined by the

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biologist based on the species' sensitivity to disturbance (generally 50-250 feet for passerines and 250-500 feet for raptors and special-status species). The nest buffer shall be demarcated in the field with flagging and stakes or construction fencing. Work within the nest avoidance buffer shall be prohibited until the juveniles have fledged.

2. A bat habitat assessment and preconstruction bat survey shall be conducted within 14 days of the removal of any trees or demolition of buildings within the Project site. The biologist shall have access to all structures and interior attics, as needed. The survey shall consist of an acoustic and visual emergence survey for bats, completed by a qualified biologist with experience identifying bat roosts and behavior. If a colony of bats is found roosting in a structure or vegetation, surveys will determine the species present and the type of roost, such as day, night, or maternity roost. If a non-maternity and non-wintering bat colony is found, the biologist shall develop and implement acceptable passive exclusion methods in coordination with or based on CDFW recommendations to ensure their protection and to avoid unnecessary harm. If a maternity colony or overwintering colony is found on the project site, then the qualified biologist shall establish a suitable non-disturbance buffer around the location in coordination with CDFW. The non-disturbance buffer shall remain in place until the qualified biologist determines that the maternal colony or wintering roost is no longer active.

3. During the preconstruction surveys for nesting birds, the qualified biologist shall survey for San Francisco dusky woodrat middens within and adjacent to the outfall construction area; all nests (active and inactive) shall be mapped and flagged. To the extent feasible, San Francisco dusky woodrat nests shall be avoided during construction. If any existing nests can be avoided, they shall be isolated from the work area with the installation of wildlife exclusion fencing. If individual woodrats are found within the Project work area during preconstruction surveys, work will not commence until the individual leaves the work area of its own volition. If woodrat middens are observed within the Project work area during preconstruction surveys, a relocation plan for woodrat nests affected by the Project will be prepared and approved by CDFW prior to implementation.

G. Additional construction conditions may be issued during Environmental Planning review of the permit applications based on review of the Impact Analysis and the final Project Impact Analysis required under Condition IV.K.6.a above.

III. All future construction within the property shall meet the following conditions:

A. Prior to final inspection of the Phase I improvements, the establishment and planting of all restoration areas intended to compensate for riparian habitat impacted by the installation of the storm drain outfall must be completed prior to final inspection of the improvements for Phase I of the project and shall be inspected and approved by Environmental Planning staff.

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B. Prior to final building inspection, establishment and planting of all restoration areas as outlined in the final approved Habitat Restoration and Mitigation Plan and placement of protective fencing and signs around the Protected Habitat Area shall be inspected and approved by Environmental Planning staff.

C. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, shall be observed.

D. All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code, including obtaining an encroachment permit where required. Where feasible, all improvements adjacent to or affecting a County road shall be coordinated with any planned County-sponsored construction on that road. Obtain an Encroachment Permit from the Public Works Division for any work performed in the public right of way. All work shall be consistent with the Public Works Division Design Criteria unless otherwise specifically excepted by these conditions of approval.

E. No land clearing, grading, or excavating shall take place between October 15 and April 15 unless the Planning Director approves a separate winter erosion control plan that may or may not be granted.

F. 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).

G. All site improvements shown on the final approved building permit plans shall be installed.

H. Any site lighting shall be directed onto the project site and away from adjacent properties. Light sources shall not be visible from adjacent properties.

I. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.

J. Additional impervious areas shall be submitted to the County for review and approval and include updates to the mitigation features.

K. Construction of improvements shall comply with the requirements of the approved geotechnical report(s). The project geotechnical engineer shall inspect the completed project and certify in writing that the improvements have been constructed in conformance with the geotechnical report(s).

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L. All required improvements shall be installed and inspected by the Public Works Division and Planning Division prior to final inspection clearance for any new structure on the new lots.

M. One construction/security trailer is allowed on the site during the construction. The location of the trailer shall conform to requirements per County Code Section 13.10.683 or any successor ordinance. A building permit is required for the installation of the construction trailer and the construction trailer shall be removed from the site prior to final inspection of the subdivision.

N. Worker Environmental Awareness Training: All construction personnel (hereinafter referred to as personnel) shall attend a mandatory environmental education program facilitated by the Project biologist prior to the initiation of construction activities. Training sessions shall be repeated for all new personnel before they are allowed access to the job site. All personnel shall complete the training and sign a form stating that they completed the training and understand all applicable agency regulations and consequences of non-compliance. The Project sponsor shall keep the forms on file and make them available to the regulatory agencies upon request.

O. Best Management Practices: Every reasonable precaution to protect offsite biological resources from construction by-products and pollutants such as debris, construction chemicals, fresh cement, saw water, or other deleterious materials shall be exercised. Measures will ensure minimization of disruptions to surrounding neighborhoods, resources, and land uses and will include but not be limited to debris and dust controls, air and water pollution controls, water usage controls, and noise and vibration controls. The measures identified in these plans shall be based on the best available technology and shall include, but not be limited to, the following:

1. During construction, all onsite and/or construction related debris shall be disposed of at an authorized offsite disposal location.

2. All hazardous materials shall be stored and handled in strict accordance with the Safety Data Sheets for the products. The storage and handling of potential pollution-causing and hazardous materials, including but not necessarily limited to gasoline, oil, and paint, shall be in accordance with applicable federal, state, and local laws and regulations.

3. Erodible construction material shall be covered every night and during any rainfall event.

4. Vehicles and equipment that are used during the course of construction shall be fueled and serviced in an appropriate manner. Fueling locations shall be inspected after fueling to document that no spills have occurred. Any incidental spills shall be cleaned up immediately.

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5. Once the Project is completed, construction material, wastes, debris, sediment, rubbish, trash, fencing, and other construction items shall be removed from the site and transported to an authorized disposal area or recycling facility, as appropriate, in compliance with applicable federal, state, and local laws and regulations.

IV. In the event that future County inspections of the subject property disclose noncompliance 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 permit revocation.

V. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.

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 applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner 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.

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D. Successors Bound. The "applicant/owner" shall include the applicant and/or the owner and the successor'(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

E. Within 60 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement, which incorporates the provisions of this condition, or this development approval shall become null and void.

VI. Mitigation Monitoring and Reporting Program

VII. The mitigation measures listed under this heading have been incorporated in 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 above mitigation was adopted as part of PUD Ordinance 5027 for this project. This program is specifically described following each mitigation measure listed in the adopted Mitigation Monitoring and Reporting Program (MMRP). 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 18.10.136 of the Santa Cruz County Code.

VIII. Mitigation measures

See adopted MMRP pages.

AMENDMENTS TO THIS LAND DIVISION APPROVAL SHALL BE PROCESSED IN ACCORDANCE WITH CHAPTER 18.10 OF THE COUNTY CODE AND THE PLANNED UNIT DEVELOPMENT CONDITIONS OF APPROVAL FOR THIS PERMIT.

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 Final 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: _____

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected

Exhibit C

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.

Exhibit C

Addendum to the Initial Study/Mitigative Negative Declaration

5940 Soquel Avenue Project
(SCH: 2008092113)

County of Santa Cruz, California

Prepared for
County of Santa Cruz
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Prepared by

Integral Consulting Inc.
433 Visitacion Avenue
Brisbane, CA 94005

October 2025

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ACRONYMS AND ABBREVIATIONS

AMM	avoidance and minimization measure
BMP	best management practice
CEQA	California Environmental Quality Act
EIR	Environmental Impact Report
2008 IS/MND	Initial Study/Mitigated Negative Declaration from 2008
PUD	Planned Unit Development
woodrat	San Francisco dusky-footed woodrat

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This environmental document is an Addendum to the Final Initial Study/Mitigated Negative Declaration (dated November 2008, 2008 IS/MND) prepared for the 5940 Soquel Avenue Project (approved Project) and adopted by the County of Santa Cruz on November 19, 2008, under application Number 07-0414, in compliance with the California Environmental Quality Act (CEQA).

This Addendum to the 2008 IS/MND is necessary to address modifications to the approved Project. As demonstrated in this Addendum, the 2008 IS/MND continues to serve as the appropriate document for addressing the environmental impacts of the Project pursuant to CEQA, as no new significant impacts are expected related to the aquatic resources, special-status species, or the other changes.

The approved Project entails the construction of an approximately 5-acre multi-family residential development with 100 townhome-style condominiums and associated infrastructure.

CEQA LEAD AGENCY: County of Santa Cruz	CONTACT: Jonathan DiSalvo Senior Planner PHONE: (831) 454-3157	ADDRESS: 701 Ocean Street, 4th Floor Santa Cruz, CA 95060
SPONSOR/APPLICANT: KB Home South Bay	CONTACT: Troy Bowser Forward Planner PHONE: (925) 983-4524	ADDRESS: 5000 Executive Pkwy Suite 125 San Ramon, CA 94583
APPROVAL ACTION UNDER CONSIDERATION:		
The proposed action consists of a General Plan Amendment, zone change, Riparian Exception, and Planned Unit Development (PUD) allowing a maximum development density of 20 dwelling *units* per usable acre on the Project site.		

The following summarizes the changes to the project, primarily related to the project setting:

- An updated aquatic resource delineation was conducted on the Project site and an offsite outfall construction area in 2024 and 2025 (see Attachment A, Appendix C. Aquatic Resource Delineation Report). The currently proposed project includes disturbance of approximately 0.04 acre of aquatic resources on the Project site that are potentially jurisdictional pursuant to the Clean Water Act, Porter-Cologne Act, and Section 1600 of the California Fish and Game Code, including seasonal wetland, non-wetland waters, and culverted waters (see Attachment A, Appendix B. Site Plans). In addition, the currently proposed project includes two options for offsite stormwater infrastructure: 1) construction of an outfall within Rodeo Gulch resulting in the disturbance of 0.07 acre of riparian habitat potentially jurisdictional pursuant to the Porter-Cologne Act and Section 1600 of the California Fish and Game Code; or, if practicable, 2) tapping into an existing box culvert within Soquel Avenue. The 2008

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IS/MND did not account for disturbance of aquatic resources on the Project site associated with project activities.

- While the entire Project site and all lands immediately adjacent to the Project site are developed or otherwise disturbed, the trees and structures on and adjacent to the Project site may provide suitable roosting habitat for special-status bats and/or suitable nesting habitat for passerines and raptors. Considerations for nesting birds and roosting bats were not provided in the 2008 IS/MND.
- San Francisco dusky-footed woodrat (woodrat) middens were observed proximal to the outfall construction site in Rodeo Creek Gulch. While there is no evidence that this species occurs within the work area, considerations for woodrats were not provided in the 2008 IS/MND.

Exhibit D

1 BACKGROUND OF APPROVED PROJECT

The approved Project entailed a General Plan amendment, zone change, Riparian Exception, and Planned Unit Development (PUD) allowing a maximum development density of 20 dwelling *units* per usable acre on the Project site. Following project approval in 2008, future development of the Project site would be by-right in that the use and density for the site are not discretionary. The site contains approximately 5 usable (developable) acres equating to a maximum of 100 dwelling units. The Project entailed amending the General Plan from "Service Commercial/Light Industry (C-S)" to "Urban High Residential (R-UH)" with the PUD.

The Urban High Residential would be amended to allow 20 units per net developable acre with a 2,000 square foot lot size requirement. In addition, the parcel was rezoned from "Light Industrial (M-1)" to "Multi-Family Residential - (RM-2)." The approved Project is located on the south side of Soquel Avenue at 5940 Soquel Avenue, between Chanticleer Avenue and Mattison Lane within the Live Oak planning area of unincorporated Santa Cruz County, California.

When project changes are proposed, the lead agency must determine whether additional CEQA documentation is warranted, and if so, what kind of environmental document is appropriate. Where, as here, an MND was prepared for the original project, CEQA Guidelines Section 15162 provides that a subsequent environmental impact report (EIR) is not allowed where the following criteria are met:

- No new significant impacts will result from implementation of the modified project.
- No substantial increase in the severity of previously-identified environmental impacts will occur.
- No new feasible alternatives or mitigation measures that would reduce impacts previously found not to be feasible have since been found to be feasible.
- No new feasible alternatives or mitigation measures that (1) are considerably different from those previously analyzed, (2) would substantially reduce one or more significant impacts, and (3) the project proponent declines to adopt.

As more fully explained below, all of these criteria are met here. Under these circumstances, Section 15162(b) authorizes the lead agency to prepare a subsequent negative declaration, an addendum to the MND, or no further documentation. The lead agency has decided to prepare this Addendum (pursuant to Section 15164) explaining the basis for its conclusion that none of the CEQA Guidelines Section 15162 conditions is present and making any minor technical changes or additions to the MND that are necessary.[1] An addendum to an MND is appropriate when only minor or technical additions or changes are needed and a subsequent EIR is not allowed under the criteria set forth above.

[1] CEQA Guidelines Section 15164(b)

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An addendum is not subject to the same notice and public review requirements as the original environmental document (the 2008 IS/MND), but the lead agency may elect to provide notice and a public review period.

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2 PROPOSED CHANGES TO THE PROJECT DESCRIPTION

While the inherent nature of the proposed project would be the same, there have been some modifications presented that would warrant subsequent review under CEQA. The following changed conditions for the project differ from what was analyzed in the 2008 IS/MND.

The sections below describe the changes and provide updates to the project description. The changes are related to biological resources, required permits and approvals, and modified/additional control measures and plans. All other aspects of the project remain unchanged. Analysis of these changes is provided in Section 3.

2.1 Biological Resources

The sections below provide a summary of changes to the project setting and conditions with regards to biological resources. A detailed report is provided in Attachment A.

2.1.1 Aquatic Resources

An updated aquatic resource delineation was conducted on the Project site and the offsite outfall construction area in 2024 and 2025. The currently proposed project includes disturbance of approximately 0.04 acre of aquatic resources on the Project site that are potentially jurisdictional pursuant to the Clean Water Act, Porter-Cologne Act, and Section 1600 of the California Fish and Game Code, including seasonal wetland, non-wetland waters, and culverted waters. In addition, the currently proposed project includes disturbance of as much as 0.07 acre of riparian habitat potentially jurisdictional pursuant to the Porter-Cologne Act and Section 1600 of the California Fish and Game Code. The 2008 IS/MND did not account for disturbance of aquatic resources on the Project site associated with project activities.

2.1.2 Nesting Birds and Roosting Bats

While the entire Project site and all lands immediately adjacent to the Project site are developed or otherwise disturbed, the trees and structures on and adjacent to the Project site may provide suitable roosting habitat for special-status bats and/or suitable nesting habitat for passerines and raptors. Considerations for nesting birds and roosting bats were not provided in the 2008 IS/MND.

2.1.3 San Francisco Dusky-footed Woodrat

Woodrat middens were observed proximal to the outfall construction site in Rodeo Creek Gulch. While there is no evidence that this species occurs within the work area, considerations for woodrats were not provided in the 2008 IS/MND.

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2.2 Permits, Approvals, and Notifications

Permits and approvals required for the approved Project are listed in the 2008 IS/MND and considered the following discretionary approvals:

- **Local Approvals**
  - General Plan Amendment
  - Land Division
  - Rezoning
  - Development Permit
  - Grading Permit
  - Riparian Exception
  - Planned Unit Development
- **Non-local Approvals**
  - California Department of Fish and Wildlife, Section 1602, Streambed Alteration Agreement
  - City of Santa Cruz Water Department
  - State Water Resources Control Board–National Pollutant Discharge Elimination System (NPDES) Permit

It is anticipated that the following additional permits and/or approvals (in addition to those listed in the 2008 IS/MND) would be required:

- County of Santa Cruz approval of the CEQA Addendum
- Regional Water Quality Control Board 401 Certification or Waste Discharge Requirements

The U.S. Army Corps of Engineers has indicated in email correspondence that the wetlands and other water on the Project site do not constitute waters of the U.S. Additionally, the offsite outfall is located entirely outside of potential waters of the U.S. Therefore, a Section 404 Clean Water Act permit is not required.

2.3 Control Measures and Plans

Numerous control measures, also known as avoidance and minimization measures (AMMs), would be incorporated into the Project Contract Documents to address environmental and public health and safety concerns. Control measures are procedures known to further reduce the potential for impacts based on regulatory agency requirements, standards in the industry, and construction and operating experiences of the design engineer.

Exhibit D

Control measures/AMMs for proposed project changes would be identical to those outlined in the 2008 IS/MND, with the additions and modifications below:

- AMMs, including biological surveying for nesting birds, roosting bats, and woodrats prior to construction activities

The following additional plans would be required to be prepared:

- Stormwater Pollution Prevention Plan
- Wetland Monitoring Plan for the created wetland

Attachment A to this document provides the recommended AMMs.

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3 SCOPE OF ENVIRONMENTAL ANALYSIS

This Addendum addresses the permanent loss of 0.041 acre of artificial wetlands and other waters, which will be avoided through the creation of a 0.1-acre seasonal wetland within the northwest corner of the Project site. The wetland will be seeded with native wetland vegetation and monitored for a period of at least 5 years to ensure successful replacement of functions and services, as it has been designed to exceed those of the existing artificial wetlands and other waters. Similarly, the permanent loss of 0.07 acre of riparian habitat would be avoided through the replacement of trees removed at a 3:1 ratio. This Addendum also addresses the potential impacts to nesting birds, roosting bats, and woodrats from proposed suitable habitat removal at the proposed Project site.

The discussion below indicates which CEQA checklist environmental factors are included in the impact analysis for this Addendum, relative to the changes to the project described in Section 2.

Table 1. Summary of Additional Analyses

Analysis Section	Changes in Biological Considerations
Air Quality	No new impacts are expected
Biological Resources	X
Cultural Resources	No new impacts are expected
Geology and Soils	No new impacts are expected
Hazards and Hazardous Materials	No new impacts are expected
Hydrology, Water Supply, and Water Quality	No new impacts are expected
Land Use, Population, and Housing	No new impacts are expected
Noise	No new impacts are expected
Public Services and Utilities	No new impacts are expected
Recreation	No new impacts are expected
Transportation and Traffic	No new impacts are expected
Visual Resources and Aesthetics	No new impacts are expected

Note: X = analysis included in this Addendum

Because the changes to the approved Project only account for existing changes in biological resources at the Project site and potential impacts to habitats, only the Biological Resources factor requires analysis herein.

These changes and revisions to the approved Project, analyzed in Section 4, do not result in any new significant or more severe impacts, and no additional mitigation measures or significant changes to mitigation measures are necessary. Therefore, an addendum to the 2008 IS/MND is appropriate.

Exhibit D

4 BIOLOGICAL RESOURCES

Analysis of impacts to biological resources of the approved Project is presented in Section C of the 2008 IS/MND. All impacts to biological resources were less than significant with mitigation measures.

For the analysis in this Addendum, project activities likely to create an impact are:

- Removal of artificial wetlands at the Project site.
- Removal of trees that could be suitable for nesting bird and roosting bat habitat at the Project site.
- Disturbance of riparian habitat that could be suitable habitat for woodrats.
- Creation of a new onsite seasonal wetland and replacement of riparian trees.

A Supplemental Biotic Report (Attachment A) was completed in October 2025 and includes analysis the project activities discussed above. The Project site is entirely developed or otherwise disturbed and is surrounded by development on all sides. Therefore, special-status plants are not expected to be present, and most special-status wildlife have no potential to occur. However, the site contains nine trees and various structures or structure-like items (e.g., storage containers, campers) that could support nesting of birds and roosting of bats. In addition, the site contains aquatic features at the northern and southern ends, some of which support wetlands. In addition, the offsite outfall construction area is dominated by riparian habitat. However, with the use of AMMs and best management practices (BMPs) described in detail in the Supplemental Biotic Report (Attachment A), the proposed project would result in less than significant impacts to biological resources pursuant to CEQA.

An evaluation of environmental effects based upon the factors in the 2008 CEQA checklist is provided below.

a. Have an adverse effect on any species identified as a candidate, sensitive, or special status species, in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife Service?

The trees that occur on and adjacent to the Project site and within the outfall construction area provide suitable nesting habitat for many species of passerine birds and raptors known to occur in the region. Similarly, the trees and structures on the Project site and within the outfall construction area may provide suitable roosting habitat for special-status bat species.

During the August 2025 site visit, multiple woodrat middens were observed between 10 and 25 ft from the outfall construction area. The riparian area within the outfall construction area provides suitable habitat for this species.

Implementation of the BMPs and AMMs found in Attachment A would ensure that impacts are less than significant.

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b. Have an adverse effect on sensitive biotic community (riparian corridor), wetland, native grassland, special forest, intertidal zone, etc.)?

Approximately 0.041 acre (455 linear feet) of artificial wetlands and other waters and 0.07 acre of riparian habitat would be impacted by the Project. The permanent loss of waters of the U.S. and/or State would be avoided through the creation of a seasonal wetland within the northwest corner of the Project site and by the replacement of riparian trees at a 3:1 ratio at Rodeo Creek. While Project implementation would result in impacts to aquatic resources, the functions and values of these resources will be replaced, so these impacts would be considered less than significant. The existing seasonal wetlands on the Project site are considered poor quality because they are small, isolated from native habitats by development, and receive untreated runoff from adjacent roadways and the Project site. These wetlands will be replaced with a single much larger (0.09 acre) wetland that will receive treated stormwater from the Project site, thereby providing an increase in both wetland area and wetland functions and values on the Project site. Furthermore, permanent loss of aquatic resources does not exceed those considered in the 2008 IS/MND.

c. Interfere 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?

The outfall construction area occurs within the Rodeo Creek riparian corridor, which would be considered a wildlife corridor, a nursery site, and a Sensitive Natural Community. As the outfall construction component of the project is limited in nature, impacts to these resources would be avoided through tree replacement and implementation of the BMPs and AMMs found in the attached Supplemental Biotic Report (Attachment A). Therefore, impacts are less than significant.

Exhibit D

5 MANDATORY FINDINGS OF SIGNIFICANCE

The minor technical changes and additions described above do not affect the mandatory findings of significance presented in the 2008 IS/MND. Mitigation measures presented in the Mitigation Monitoring and Reporting Plan will be implemented to ensure that the Project's impacts remain below levels considered significant. The impact determinations remain consistent with those presented in the 2008 IS/MND. None of the factors listed in CEQA Guidelines Section 15162(a) are present; therefore, this addendum to the 2008 IS/MND is an appropriate level of environmental review for the proposed project changes, as identified in CEQA Guidelines Section 15164.

Certification:

_____ _____

Jonathan DiSalvo Date

Exhibit D

6 REPORT PREPARATION

This Addendum was prepared under the direction of Integral Consulting Inc. and its subconsultants with support from the County of Santa Cruz. This Addendum to the IS/MND reflects the independent review, analyses, and judgment of the County of Santa Cruz, as the lead agency for the approved Project. Project participants included:

County of Santa Cruz

Jonathan DiSalvo

Senior Planner

701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Environmental Consultants

Lead Consultant and Biological Resources
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Project Director: Bridgette DeShields
Lead Biologist: Sadie McGarvey

Exhibit D

Attachment A. Supplemental Biotic Report

Exhibit D

5940 Soquel Avenue Supplemental Biotic Report

County of Santa Cruz, CA

Prepared for
KB Home South Bay
5000 Executive Pkwy, Suite 125
San Ramon, CA 94583

Prepared by



Integral Consulting Inc.
433 Visitacion Avenue
Brisbane, CA 94005

October 2025

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ACRONYMS AND ABBREVIATIONS

AMM	Avoidance and Minimization Measures
APN	Accessor Parcel Number
BMP	Best Management Practices
C-1,2	Culverted Waters
CC&Rs	Covenants, Conditions, and Restrictions
CDFW	California Department of Fish and Wildlife
CNDDB	California Natural Diversity Database
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CNPS	California Native Plant Society
CWA	Clean Water Act
CFR	Code of Federal Regulations
EIR	Environmental Impact Report
ESD	Environmental Services Division
FESA	Federal Endangered Species Act
Integral	Integral Consulting Inc.
IPaC	Information for Planning and Consultation
IS/MND	Initial Study/Mitigated Negative Declaration
LCP	Local Coastal Program
MBTA	Migratory Bird Treaty Act
MS4s	Municipal Separate Storm Sewer Systems
NAVD88	North American Vertical Datum of 1988
NMFS	National Marine Fisheries Service
NPPA	Native Plant Protection Act
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resource Conservation Service
PBFs	Physical or Biological Features

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OW-1	Other Water
RM-2-R	Residential Zone District
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
USACE	U.S. Army Corps of Engineers
USC	United States Code
USFWS	U.S. Fish Wildlife Service
USGS	U.S. Geological Survey
W-1,2,3,4	Wetlands
WDR	Waste Discharge Requirements
WMP	Wetland Management Plan

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EXECUTIVE SUMMARY

KB Home South Bay proposes to impact a 5-acre site at 5940 Soquel Avenue in unincorporated Santa Cruz County for the construction of a multi-family residential development with 100 townhome-style condominiums and associated infrastructure. Offsite construction activities will include road frontage improvements along Soquel Avenue and construction of a stormwater outfall within the Rodeo Gulch corridor. The project site is entirely developed or otherwise disturbed and is surrounded by development on all sides. Therefore, special-status plants are not expected to be present, and most special-status wildlife have no potential to occur. However, the site contains nine trees and various structures or structure-like items (e.g., storage containers, campers, etc.) that could support nesting birds and roosting bats. Additionally, the site contains aquatic features at the northern and southern ends, some of which support wetlands. However, with the use of avoidance and minimization measures (AMMs) and best management practices (BMPs) described below in Section 6, the proposed project would result in less than significant impacts to biological resources pursuant to CEQA.

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1 INTRODUCTION

1.1 PURPOSE OF THE DOCUMENT

The purpose of this Supplemental Biotic Report is to gather information necessary to complete a review of biological resources and potential effects to those resources under the California Environmental Quality Act (CEQA) associated with the 5940 Soquel Avenue Project (Project). The analysis considers the Project location and regional potential occurrence of special-status species and their habitat in conjunction with proposed work activities to analyze potential Project-related impacts on the natural environment.

1.2 PROJECT LOCATION AND AJACENT LAND USES

The approximately 5-acre Project site is located immediately south of State Route 1 at 5940 Soquel Avenue, between the cities of Santa Cruz and Capitola in unincorporated Santa Cruz County, California (Lat. 36.9833278°, Long. -121.9765361°) (Appendix A, Figure 1). The Project site is situated within the Live Oak community and includes Accessor Parcel Number (APN) 029-021-47 (Appendix A, Figure 2). The site is bound to the north by Soquel Avenue, to the west by the County of Santa Cruz's Sheriff's Headquarters, to the south by residential development, and to the east materials supply and storage businesses. All land immediately adjacent to the site is developed or otherwise disturbed. The offsite work area associated with the construction of the stormwater outfall (i.e., the outfall construction area) is located 0.27 miles east of 5940 Soquel Avenue in unincorporated Santa Cruz County.

1.3 PROJECT DESCRIPTION

The Project involves the construction of an approximately 5-acre multi-family residential development with 100 townhome-style condominiums and associated infrastructure. The Project will include utilities, community amenities, landscaping, and bioretention facilities for stormwater treatment. A new protected seasonal wetland will be created onsite to provide compensatory mitigation for impacts to wetlands and other waters. Offsite work would include road frontage improvements along Soquel Avenue and improvements to the stormwater system that services the Project site and surrounding area through the construction of either 1) a stormwater outfall into Rodeo Gulch or 2) tapping into an existing box culvert within Soquel Avenue.

The Project would be constructed using typical site grading, site improvement, and Type 'V' wood-framed construction techniques per the California Building Code requirements. To complete these standard forms of construction, the Project requires the use of water trucks, scrapers, compactors, bulldozers, caterpillars, back-hoes, augers, concrete trucks, and assorted other hand tools and professional grade equipment.

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Project implementation would include the demolition and removal of all existing onsite structures and trees, mass grading of the entire Project site, and construction of project components. The existing and proposed site plans are provided as Appendix B.

1.3.1 Wetland Creation

The permanent loss of 0.041 acre of artificial wetlands and other waters will be avoided through the creation of a 0.1-acre seasonal wetland within the northwest corner of the Project site. The wetland will be seeded with native wetland vegetation and monitored for a period of at least 5 years to ensure successful replacement of functions and services, as it has been designed to exceed those of the existing artificial wetlands and other waters.

1.3.2 Outfall Construction

Work associated with outfall construction would require removal of riparian trees occurring within the Project footprint. All trees removed would be replanted within Rodeo Gulch on and adjacent to the Project site at a 3:1 ratio. The outfall construction area will be surrounded with wildlife exclusion fencing and water quality BMPs prior to commencement of construction activities.

1.3.3 Work Activity Timing

Work is assumed to take place Monday through Saturday (6 days per week), between 7:00 a.m. to 5:00 p.m. (10 working hours per day). Some work could occur after hours or during night-time, with appropriate permits and approvals. To the extent practicable, tree removal and demolition shall occur outside timeframes when young or overwintering bats may be present (generally presumed March through April and August through October) to ensure protection of bats and their roosts.

1.3.4 Compliance and Monitoring Plans

Compliance and monitoring plans will be developed and implemented to provide compliance monitoring during construction to guide the development and implementation of construction controls. A number of avoidance and minimization measures (AMMs) would be incorporated into Project Contract Documents to address environmental and public health and safety concerns. AMMs are procedures known to further reduce the potential for adverse effects to the natural environment and are standard regulatory agency requirements, standards in the industry, and construction and operating experiences of the design engineer. During construction, controls would be implemented to minimize the temporary effect of construction on the surrounding community and environment. These compliance and monitoring plans and AMMs applicable to biological resources are provided in Section 6.

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1.4 PROJECT HISTORY

The development of the Project site has been analyzed in two separate CEQA documents. An Initial Study/Mitigated Negative Declaration (IS/MND) was issued for a development consistent with the current Project in 2008 (State Clearinghouse Number 2008092113), after which the County of Santa Cruz issued an ordinance approving the Planned Use Development (Ordinance No. 5027). This development was never constructed. In 2021, an Environmental Impact Report (EIR) was issued for a medical office building project on the site (State Clearinghouse Number 2020039067). This development was also never constructed.

KB Home South Bay contracted with Integral Consulting Inc. (Integral) in 2024 to perform a review of biological constraints and then conduct a delineation of aquatic resources on the Project site. The Aquatic Resource Delineation Report (Appendix C) was submitted to the U.S. Army Corps of Engineers (USACE) in November 2024 for verification. Due to workload issues, USACE's review is still pending. An additional preliminary delineation of aquatic resources within the outfall construction area was conducted in August 2025.

1.5 SIGNIFICANCE THRESHOLDS FOR PROJECT IMPACTS

Potential impacts associated with implementation of the Project are addressed in the following sections. In accordance with Appendix G of the State CEQA Guidelines, Project-related impacts are considered significant if the Project would result in one or more of the following effects:

a. Have an adverse effect on any species identified as a candidate, sensitive, or special status species, in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife Service; or

b. Have an adverse effect on sensitive biotic community (riparian corridor), wetland, native grassland, special forest, intertidal zone, etc.); or

c. Interfere 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; or

d. Produce nighttime lighting that will illuminate animal habitats; or

e. Make a significant contribution to the reduction of the number of species of plants or animals; or

f. Conflict with any local policies or ordinances protecting biological resources (such as the Significant Tree Protection Ordinance, Sensitive Habitat Ordinance, provisions of the Design Review ordinance protecting trees with trunk sizes of 6-inch diameters or greater); or

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g. Conflict with the provisions of an adopted Habitat Conservation Plan, Biotic Conservation Easement, or other approved local, regional, or state habitat conservation plan?

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2 CURRENT SITE CONDITIONS

2.1 PERSONNEL AND SURVEY DATES

The Project site was surveyed on April 4 and October 8, 2024, by Integral personnel Naomi Schowalter, Sarah Beilman, and Shea Grady (resumes for field staff as well as the preparers of this biotic report are provided as Appendix D). The April survey included a reconnaissance-level assessment of the Project site to characterize vegetation, topography, and current uses. The October survey consisted of a formal delineation of potential waters of the U.S. and State on the Project site and offsite work areas (Appendix C). On August 4, 2025, a formal delineation of potential waters of the U.S. and State within the outfall construction area was conducted. Observations made during the site visits were used to determine the presence of suitable habitat for special-status species (presence of habitat components necessary to support the species) and sensitive habitat types.

2.2 LIMITATIONS AND ASSUMPTIONS THAT MAY INFLUENCE SURVEY RESULTS

The surveys were limited to a general habitat assessment and an aquatic resources delineation applying delineation standards developed by the USACE. Two portions of the Project site used for storage were inaccessible due to fencing, so only desktop reviews were conducted for these areas. No wildlife was observed during the field surveys. However, wildlife species may be cryptic, generally difficult to detect, transient, nocturnal, or migratory species that may only occur within the Project site for short or fleeting time periods. Wildlife species may only be active during particular times of the year, such as the breeding season, or may only use the Project site temporarily. Some plant species are also only identifiable during particular times of year. For these reasons, plant and wildlife species may be present but not observed. This limitation may influence the study results.

2.3 EXISTING CONDITIONS

The Project site is located in a multi-family residential zoning district (RM-2-R). According to the 2021 Draft EIR prepared for the property by the County of Santa Cruz, existing uses on the site include storage, salvage, and salvage yard purposes. Towing, storage, and concrete businesses operate from the site, and storage containers, vehicles, boats, and campers are scattered across the property. Three sheds and an office trailer with an attached workshop are also present. There is a single ingress/egress point from Soquel Avenue and coarsely paved internal roadways throughout the property. Various types of developments surround the property, including light-industrial, commercial, residential, and institutional.

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The site is nearly flat, gently sloping southeast and southwest. Topographic depressions onsite are associated with constructed ditches at the northern and southern edges of the Project site. Mounds of dirt and debris are scattered across the site. There are numerous scattered patches of ruderal and ornamental vegetation and nine planted trees on the Project site (8 non-native and 1 native; see Appendix B). Vegetation communities onsite included non-native grassland, seasonal wetland, ruderal, and ornamental/urban. Multiple plant species on the Project site have a "High" rating on the California Invasive Plant Council Inventory, including *Cortaderia selloana* (pampas grass), *Genista monspessulana* (French broom), *Hedera helix* (English ivy), and *Rubus armeniacus* (Himalayan blackberry). However, most of the site consists of bare ground, a portion of which is paved. A full list of plant and tree species that were observed onsite during the April site visit are included in Appendix E, Table 1.

The outfall location includes portions of Soquel Avenue roadway, the southern roadway embankment, and the Rodeo Creek riparian corridor. The Rodeo Creek riparian area is characterized by an overstory dominated by arroyo willow (*Salix lasiolepis*) and coast live oak (*Quercus agrifolia*) and an understory dominated by Himalayan blackberry.

2.3.1 Soils

According to the Natural Resources Conservation Service (NRCS), one soil map unit is present on the Project site: Elkhorn sandy loam, 2 to 9 percent slopes. Elkhorn soils are derived from marine deposits and occur on terraces and alluvial fans. The typical soil profile is composed of sandy loam and sandy clay loam. Elkhorn soils are well drained with low runoff and no shallow restrictive features. Only one percent of the soil map unit has a hydric soil rating.

2.3.2 Hydrology

The Project site is in the Monterey Bay watershed (Hydrologic Unit Code 12: 180600150305) (Appendix A, Figure 3). Monterey Bay is approximately 1.5 miles south of the Project site. The closest major drainage, Rodeo Creek Gulch, is located approximately one-quarter mile east. The Project site is nearly flat, sloping slightly southwest and deriving hydrology primarily from direct precipitation. There is a drainage ditch and ponded area between the Project site and Soquel Avenue that prevents roadway runoff from flowing onto the property from the north. It is unclear where flow in the ditch (OW-1 on Appendix A, Figure 4) along the southern edge of the property goes upon leaving the parcel boundary. Santa Cruz County stormwater conduit data does not display any stormwater facilities in this area (Appendix A, Figure 5).

The Rodeo Creek is within the Arana Gulch-Rodeo sub-watershed which drains a 3.5 square-mile area along the eastern edges of the City of Santa Cruz. From the outfall construction site, Rodeo Creek flows southward for 1.5 miles where it enters Corcoran Lagoon, which empties into the Monterey Bay.

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2.4 WATERS OF THE U.S./STATE

The Project site contains multiple artificial wetlands and other waters, created to convey stormwater. The 2008 IS/MND notes that a drainage pipe had been crushed years prior resulting in stormwater pooling onsite. The Project site contains approximately 0.041 acre (455 linear feet) of aquatic resources, including 0.031 acre of seasonal wetlands (W-1, W-2, and W-4), 0.010 acre (290 linear feet) of other waters (OW-1), and 165 linear feet of culverted waters (C-1 and C-2) (Appendix C). An additional 0.002-acre wetland (W-3) proposed for avoidance was mapped immediately east of the Project site. Aquatic resources on the Project site are *potentially* regulated as waters of the U.S. pursuant to the Clean Water Act and as waters of the State pursuant to the Porter-Cologne Act. The delineation map is provided in Appendix A, Figure 4.

Wetlands onsite are associated with topographic depressions receiving channelized and unconfined runoff from upslope surfaces. Geospatial data (Santa Cruz County, 2024a) indicates that W-1 and W-2 are part of the County's stormwater conduit system (Appendix A, Figure 5), and stormwater pipes drain to and from each wetland. However, no culverts were visible at W-1 during the field surveys, and though a culvert under State Route 1 currently conveys flow into W-2 (C-1), the culvert meant to convey flow away from W-2 (C-2) does not appear to be functioning. Therefore, W-2 functions as a pond for a large portion of the wet season. W-4 is not part of the County's stormwater conduit system but occurs at the terminus of a drainage ditch (OW-1) along the southern boundary of the Project site. All wetlands within the Project site are considered poor quality because they are small, isolated from native habitats by development, and receive untreated runoff from adjacent roadways and the Project site, both of which are likely to be source of contaminants. These wetlands will be replaced with a single much larger (0.09 acre) wetland that will receive treated stormwater from the Project site, thereby providing an increase in both wetland area and wetland functions and values on the Project site.

One other water (OW-1) was identified along the southern boundary of the Project site, consisting of a 1.5-foot-wide constructed ditch. It is assumed that this ditch was constructed to prevent runoff from the Project site from flooding the residential development to the south. Another ditch was observed along the eastern portion of the Project site that did not contain an ordinary high water mark and therefore does not constitute a potential water of the U.S. or State (located at SP-7 on Appendix A, Figure 4).

The outfall construction area contains approximately 0.07 acre of the Rodeo Creek riparian corridor; however, no wetlands or other waters occur within the Project footprint at this location. Impacted riparian trees will be replanted along Rodeo Creek at a 3:1 ratio.

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3 POTENTIAL IMPACTS TO SPECIAL-STATUS SPECIES

3.1 APPLICABLE LAWS

Special-status species include species considered to be rare by federal and/or state resource agencies (USFWS, National Marine Fisheries Service (NMFS), and CDFW) and/or the scientific community (California Native Plant Society (CNPS)) and are accordingly legally protected pursuant to the federal, state, and/or local laws described below.

3.1.1 Endangered Species Act of 1973

The Endangered Species Act of 1973 (referred to as the Federal Endangered Species Act [ESA]) prohibits the "take" of any wildlife species listed by the USFWS or NMFS (collectively referred to as the Services) as threatened or endangered, including the destruction of habitat that could hinder species recovery. The term "take" is defined by Federal ESA as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct, with habitat protected under the "harm" and "harass" definitions. The USFWS and NMFS oversee the implementation of Federal ESA (50 Code of Federal Regulations (CFR) § 402.7, Section 305(b)(4)(B)) and have regulatory authority over listed plants, wildlife, and fish. When species are listed as endangered or threatened under Federal ESA, the federal government is also directed to designate critical habitat for these species. To remain compliant with the Federal ESA, federal action agencies, such as USACE, are required to consult with the Services prior to issuance of a permit if a project "may affect" a federally listed species or designated critical habitat. If the federal action agency determines the federal action would have no effect on a listed species (when there is no potential for presence of a listed species) or designated critical habitat, no consultation with the Services is required.

The USFWS and NMFS administer the Federal ESA and authorize exceptions to the take prohibition through issuance of Biological Opinions in consultation with the federal action agency. The USFWS has primary responsibility for terrestrial and freshwater organisms, whereas the responsibilities of the NMFS are mainly marine wildlife, such as whales, and anadromous fish, such as salmon.

3.1.2 Migratory Bird Treaty Act (MBTA)

The MBTA of 1918 (16 United States Code (U.S.C.) 703-712; Ch. 128; July 13, 1918; 40 Stat. 755; as amended in 1936; 1960, 1968, 1969, 1974, 1978, 1986, and 1998) (between the United States, Canada, Mexico, and Japan) prohibits the take (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct) of any migratory bird or any part, nest, or egg of any such bird. The USFWS issues permits for take of migratory birds related to scientific collecting, banding and marking, falconry, raptor

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propagation, depredation, import, export, taxidermy, waterfowl sale and disposal, and special purposes.

3.1.3 California Endangered Species Act (CESA)

The CESA prohibits the "take" of any wildlife species listed as endangered and threatened by the State of California. The term "take" is defined by Fish and Game Code Section 86 as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Section 2090 of the CESA requires state agencies to comply with regulations for protection and recovery of listed species and to promote conservation of these species. CDFW administers the CESA and authorizes exceptions to the take prohibition through Section 2081 agreements (Incidental Take Permits) (except for designated "fully protected species"). Species that the California Fish and Game Commission has accepted as candidates for listing are likewise given full CESA protection.

3.1.4 California Native Plant Protection Act (NPPA)

The NPPA allows the Fish and Game Commission to designate plants as rare or endangered. The NPPA prohibits take of endangered or rare native plants but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations.

3.1.5 California Fish and Game Code (Fully Protected Species)

The State of California designated 37 species of wildlife that were rare or faced possible extinction with the classification of Fully Protected in the 1960s to provide additional protection to those species. To provide additional protections for wildlife that is rare or faces potential extinction, California Fish and Game Code Sections 3511, 4700, 5050, and 5515 designate "fully protected" status for specific birds, mammals, reptiles, amphibians, and fish. Fully protected species cannot be taken or possessed at any time and no licenses or permits can be issued for their take. Exceptions are established for scientific research collection, relocation of the bird species for the protection of livestock and take resulting from recovery activities for state-listed species.

3.1.6 California Fish and Game Code (Birds)

California Fish and Game Code Section 3503 prohibits the take of nest or eggs of any bird. Raptors and other fully protected bird species are further protected in Sections 3503.5 and 3511, which state that these species or parts thereof may not be taken or possessed at any time.

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3.1.7 CEQA

CEQA is a statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. The planning process entered into with the County of Santa Cruz (County) will identify the County's specific CEQA process and what issues they would like to see addressed in a CEQA analysis. Certain species and habitats are afforded protection solely through the CEQA process.

3.1.7.1 CDFW Species of Special Concern

A species of special concern is an administrative designation given by CDFW to a native species that meets one or more of the following criteria: is extirpated from the state; is federally (but not state) listed; is experiencing, or formerly experienced, population declines or range restrictions; or has naturally small populations at high risk of declines. While this designation carries no legal status, CEQA Guidelines Section 15380 clearly indicates that species of special concern should be included in an analysis of project impacts.

3.1.7.2 CNPS Inventory of Rare and Endangered Plants

CNPS designates California rare plants through a ranking system, maintaining an Inventory of Rare, Threatened, and Endangered Plants of California. Many plant species have a CNPS rare plant rank but are not afforded legal protection under the NPPA or CESA. These species may still meet the CEQA definition of rare and endangered and therefore fall under Section 15380 of the CEQA Guidelines.

3.2 METHODOLOGY

Information about special-status species that could occur on the Project site was obtained from the following sources:

- California Natural Diversity Database (CNDDB) (CDFW 2024a)
- CNPS Inventory of Rare, Threatened, and Endangered Plants of California (CNPS 2024)
- USFWS Information for Planning and Consultation (IPaC) (USFWS 2024b)
- Personal observations

The CNDDB was used to query all special-status species with occurrences that are not identified as "extirpated" within 3 miles of the Project site. A query of the CNPS Inventory of Rare, Threatened, and Endangered plants of California was conducted for CNPS-ranked plant species with recorded occurrences on the same USGS 7.5-minute quadrangle as the Project site (Soquel quadrangle). An IPaC list was generated using the property boundary. The species

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identified in these searches were compiled in tables (Appendix E, Tables 2 and 3) and evaluated for likelihood of occurrence on the Project site. The potential for species to be present on the Project site was classified as high, moderate, low, or none using the following definitions:

- **High**: The potential for a species to occur was considered high when the Project site was located within the range of the species, recorded observations were identified within known dispersal distance of the Project site, and suitable habitat was present on the Project site.
- **Moderate**: The potential for a species to occur was considered moderate when the Project site was located within the range of the species, recorded observations were identified nearby but outside known dispersal distance of the Project site, and suitable habitat was present on the Project site. A moderate classification was also assigned when recorded observations were identified within known dispersal distance of the Project site but habitat on the Project site was of limited or marginal quality.
- **Low**: The potential for a species to occur was considered low when the Project site was within the range of the species, but no recorded observations within known dispersal distance were identified, and habitat on the Project site was limited or of marginal quality. The potential for a species to occur was also classified as low when the Project site was located at the edge of a species' range and recorded observations were extremely rare, but habitat on the Project site was suitable.
- **None**: The potential for a species to occur was considered nonexistent when a species was not expected to occur within or adjacent to the Project site due to lack of suitable habitat and recorded observations within dispersal distance from the Project site.

3.3 POTENTIAL FOR OCCURRENCE OF SPECIAL-STATUS PLANTS

According to the CNDDB, the CNPS Inventory of Rare, Threatened, and Endangered Plants of California, and the USFWS IPaC, a total of 18 special-status plant species have potential to occur in the vicinity of the Project site. A brief description of each of these species is included in Appendix E, Table 2, including the species' status, habitat, and probability of occurrence on the Project site.

Most of the regionally known special-status plant species require specialized soils or habitats that are not found on the Project site. Additionally, the entire Project site and the adjoining properties are developed or otherwise disturbed. While the outfall construction area occurs within riparian habitat, the only riparian species with presumed extant records in the area is the California bottle-brush grass (*Elymus californicus*), and no grasses were observed within the densely vegetated outfall construction area. This species is not expected to occur therein

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due to the disturbed nature of the area (within the road prism) and the dense perennial vegetative cover. Therefore, no special-status plants are expected to occur.

3.4 POTENTIAL FOR OCCURRENCE OF SPECIAL-STATUS WILDLIFE

According to the CNDDB, records for a total of 15 special-status wildlife species have been documented within three miles of the Project site. A brief description of each of these species is included in Appendix E, Table 3, including the species' status, habitat, and probability of occurring within the Project site. Ten additional FESA species were identified by IPaC. Most of these regionally known special-status species require specialized habitats that do not occur on the Project site and therefore are not expected to occur. Additionally, the entire Project site and the adjoining properties are developed or otherwise disturbed. However, the outfall construction area occurs within riparian habitat. Therefore, only nesting birds, special-status bats, and San Francisco dusky-footed woodrats (*Neotoma fuscipes annectens*) have potential to occur on the Project site and/or the offsite outfall construction area.

3.4.1 Special-Status Wildlife with Potential to Occur

3.4.1.1 Bats

Two species of special-status bats have been observed in the vicinity of the Project site per CNDDB: Townsend's big-eared bat (*Pelcotus townsendii*) and pallid bat (*Antrozous pallidus*). Trees and structures on the Project site and within the outfall construction area may provide suitable roosting habitat for these special-status bat species, though the likelihood is relatively low. Townsend's big-eared bat is particularly unlikely to roost on the property since it is extremely sensitive to disturbance of roosting sites and there is ongoing activity on the site.

3.4.1.2 Nesting Birds

The trees that occur on and adjacent to the Project site and within the outfall construction area provide suitable nesting habitat for many species of passerine birds and raptors known to occur in the region. No nests were observed during the site visits. However, owing to the mobile nature of birds and the seasonality of their nesting cycle, it is possible that birds will nest within the Project site during future nesting seasons.

3.4.1.3 San Francisco Dusky-footed Woodrat

During the August 2025 site visit, multiple San Francisco dusky-footed woodrat (woodrat) middens were observed between 10 and 25 feet from the outfall construction area. The riparian area within the outfall construction area provides suitable habitat for this species.

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3.5 IMPACT ASSESSMENT

3.5.1 Special-Status Plants

The entire Project site and the adjoining properties are developed or otherwise disturbed. Therefore, no special-status plants are expected to occur, and Project implementation would not result in impacts to special-status plants.

3.5.2 Special-Status Wildlife

3.5.2.1 Bats

There is potential for special-status bats, including Townsend's big-eared bat and pallid bat, to occur on the Project site. Nine trees and all existing structures and structure-like items (e.g., storage containers, campers, etc.) that could provide suitable roosting habitat would be removed for the development of the site. If bats are roosting in the Project vicinity, roost abandonment could occur as a result of disturbance. However, impacts to special-status bats would be avoided through implementation of Avoidance and Minimization Measures in Section 8.2. *Accordingly, while Project implementation could result in impacts to roosting bats, with implementation of these measures, these impacts would be reduced to a level considered less than significant pursuant to CEQA and do not exceed those considered in the 2008 IS/MND*.

3.5.2.2 Nesting Birds

There is potential for birds to nest on the Project site. The removal of nine trees from the Project site and indirect impacts to trees adjacent to the Project site has the potential to result in nest abandonment by special-status birds. However, impacts to nesting birds would be avoided through implementation of Avoidance and Minimization Measures in Section 8.2. *Accordingly, while Project implementation could result in impacts to nesting birds, with implementation of these measures, these impacts would be reduced to a level considered less than significant pursuant to CEQA and do not exceed those considered in the 2008 IS/MND*.

3.5.2.3 San Francisco Dusky-footed Woodrat

There is potential for woodrats to occur within or near the outfall construction area. However, impacts to woodrats would be avoided through isolation of the work area from the adjacent Rodeo Creek riparian corridor and implementation of Avoidance and Minimization Measures in Section 8.2. *Accordingly, while Project implementation could result in impacts to woodrats, with implementation of these measures, these impacts would be reduced to a level considered less than significant pursuant to CEQA and do not exceed those considered in the 2008 IS/MND.*

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4 POTENTIAL IMPACTS TO SPECIAL-STATUS HABITATS

4.1 APPLICABLE LAWS

Certain habitats are regulated by state and federal resource agencies and are accordingly legally protected via the federal and/or state laws defined below.

4.1.1 Section 401 and 404 of the Clean Water Act (CWA)

Section 404 of the CWA, administered by the U.S. Environmental Protection Agency and USACE, establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including traditionally navigable waters, relatively permanent tributaries to those waters, and wetlands with a continuous surface connection to regulated waters. Per Section 404, a permit is required prior to discharge of dredged or fill material into waters of the United States, unless the activity is exempt from Section 404 regulation.

Under Section 401 of the CWA, a federal agency may not issue a permit or license to conduct any activity that may result in any discharge into waters of the United States unless a Section 401 water quality certification is issued, or certification is waived. States and authorized tribes where the discharge originate are generally responsible for issuing water quality certifications. In the State of California, the State Water Resources Control Board (SWRCB) and Regional Water Quality Control Boards (Regional Water Boards) are the State certifying authorities.

4.1.2 National Pollutant Discharge Elimination System (NPDES) Permit Program

The NPDES Permit Program, also authorized by the CWA, controls water pollution by regulating point sources (discrete conveyances such as pipes or constructed ditches) that discharge pollutants into waters of the United States. The NPDES Permit Program includes the Municipal Storm Water Permitting Program, which regulates storm water discharges from municipal separate storm sewer systems (MS4s). The MS4 Permit Program was established to restore and maintain the chemical, physical, and biological integrity waters of the U.S./State and reduce/eliminate storm water pollution. The implementation of these federal programs has been charged to the State of California for implementation through the SWRCB and Regional Water Boards. In California, NPDES permits are also referred to as waste discharge requirements (WDR) that regulate discharges to waters of the United States.

4.1.3 Porter Cologne Water Quality Control Act

The SWRCB and its nine regional water boards have been charged with the protection and enhancement of water quality in the State of California. Pursuant to the Porter Cologne Water

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Quality Control Act (Porter-Cologne Act), waters of the State are defined as "any surface water or groundwater, including saline waters, within the boundaries of the state." This is generally taken to include all waters of the U.S., all surface waters not considered to be waters of the U.S. (e.g., non-jurisdictional wetlands), groundwater, and territorial seas (with territorial boundaries extending 3.0 nautical miles beyond outermost islands, reefs, and rocks and includes all waters between the islands and the coast). Per the Porter-Cologne Act, the Regional Water Board has authority to regulate discharges of fill and dredged material into waters of the State.

4.1.4 Fish and Game Code Section 1600 *et seq.*

CDFW regulates diversions and obstructions of the natural flows, and material changes or uses of the beds, channels, or banks, of rivers, streams, and lakes under Section 1600 *et seq.* of California Fish and Game Code. The term stream, which includes creeks and rivers, is defined in 14 California Code of Regulations Section 1.72 as follows: "A stream is a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation." Per Section 1.56, the term lake "includes natural lakes or man-made reservoirs."

4.1.5 FESA

When species are listed as endangered or threatened under FESA, the federal government is also directed to designate critical habitat for these species. Critical habitat is designated by the Services to protect areas that are essential to the survival of federally listed species. Under FESA, critical habitat is defined as a "specific geographic areas that contain features essential to the conservation of an endangered or threatened species and that may require special management and protection." When designating critical habitat, the Services focus on the principal biological or physical features (PBFs) in the defined area that are essential to the conservation of the listed species. The FESA requires Federal agencies to use their authorities to conserve endangered and threatened species and to consult USFWS and/or NMFS about actions that they carry out, fund, or authorize to ensure that they will not destroy or adversely modify critical habitat.

4.1.6 CEQA

4.1.6.1 Sensitive Biotic Communities

CDFW ranks Natural Communities according to their rarity and threats using NatureServe's Heritage Methodology. Natural Communities with ranks of S1-S3 are considered Sensitive Biotic Communities and are required to be addressed in the environmental review processes of CEQA and its equivalents.

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4.2 METHODOLOGY

Information about aquatic resources and special-status habitats that could occur on the Project site was obtained from the following sources:

- Integral site visits (April 4, and October 8, 2024; see Section 2.1)
- CNDDB (CDFW 2024a)
- USFWS Critical Habitat shapefiles

The CNDDB was used to query all special-status habitats with known occurrences within 3 miles surrounding the Project site. USFWS shapefiles were used to map critical habitat in the vicinity of the Project site.

4.3 SENSITIVE BIOTIC COMMUNITIES

The Project site supports approximately 0.041 acre (455 linear feet) of aquatic resources, including 0.031 acre of seasonal wetlands (W-1, W-2, and W-4), 0.010 acre (290 linear feet) of other waters (OW-1), and 165 linear feet of culverted waters (C-1 and C-2) (Appendix C). An additional 0.002-acre wetland (W-3) proposed for avoidance was mapped immediately east of the Project site. In addition, the outfall construction area occurs within 0.07 acre of the Rodeo Creek riparian corridor. Aquatic resources on the Project site are *potentially* regulated as waters of the U.S. pursuant to the Clean Water Act and waters of the State pursuant to the Porter-Cologne Act and Fish and Game Code Section 1600 *et seq.* Aquatic resources proposed to be impacted by the Project are displayed in Appendix A, Figure 6a and 6b.

There are no CNDDB records of Sensitive Biotic Communities within 3 miles of the Project site, however, wetlands and riparian corridors like that associated with Rodeo Creek are considered Sensitive Biotic Communities.

4.4 CRITICAL HABITAT

No designated critical habitat occurs on or adjacent to the Project site. However, designated critical habitat for four species occurs within 3 miles of the Project site: Santa Cruz tarplant (*Holocarpha macradenia*), Zayante band-winged grasshopper (*Trimerotropis infantilis*), tidewater goby (*Eucyclogobius newberryi*), and robust spineflower (*Chorizanthe robusta* var. *robusta*). The closest designated critical habitat is for Santa Cruz tarplant and is approximately 0.6 mile from the Project site.

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4.5 WILDLIFE CORRIDORS AND NURSERY SITES

The Project site does not act as a wildlife corridor or a nursery site. A wildlife corridor is a portion of land that adjoins two or more larger areas of similar natural environment, often connecting wildlife populations separated by natural or created activities, disturbances, or structures. Wildlife corridors are used for dispersal and migration of wildlife, allowing for genetic exchange, population growth, and access to larger stretches of suitable habitats, and reducing habitat fragmentation. While the Project site provides some foraging and marginal resting habitat, it is regularly disturbed, is surrounded on four sides by developed landscapes, and does not offer the necessary protection or resources required to be considered a wildlife corridor. Riparian corridors like that associated with Rodeo Creek are generally considered wildlife corridors.

A nursery site is an area where juveniles occur at higher densities, avoid predation more successfully, or grow faster there than in a different habitat (Beck et. al. 2001). The Project site exhibits no evidence of being a nursery site. As an active towing, storage, and concrete business site that is subject to regular disturbance, the Project site is not buffered from the adjacent urban landscape and does not provide enhanced protection or nesting/roosting habitats that would be components of nursery sites. Riparian corridors like that associated with Rodeo Creek are generally considered nursery sites.

4.6 IMPACT ASSESSMENT

4.6.1 Sensitive Biotic Communities

Approximately 0.041 acre (455 linear feet) of artificial wetlands and other waters would be impacted by the Project. The permanent loss of waters of the U.S. and/or State would be avoided through the creation of a seasonal wetland within the northwest corner of the Project site. Similarly, the permanent loss of 0.07 acre of riparian habitat would be avoided through the replacement of trees removed at a 3:1 ratio. *While Project implementation* would *result in impacts to aquatic resources, the functions and values of these resources will be replaced onsite and these impacts would be reduced to a level considered less than significant pursuant to CEQA and permanent loss of aquatic resources does not exceed those considered in the 2008 IS/MND*.

The outfall construction area occurs within the Rodeo Creek riparian corridor, which is considered a Sensitive Biotic Community. As the outfall construction component of the project is limited in nature, impacts to Sensitive Biotic Communities would be avoided through tree replacement, implementation of Avoidance and Minimization Measures in Section 8.2. *Accordingly, while Project implementation could result in impacts to Sensitive Biotic Communities, with implementation of these measures, these impacts would be reduced to a level considered less than significant pursuant to CEQA and do not exceed those considered in the 2008 IS/MND.*

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4.6.2 Critical Habitat

The Project site does not occur within or near any designated critical habitat units. Therefore, Project implementation would not result in impacts to critical habitat.

4.6.3 Wildlife Corridors and Nursery Sites

The Project site does not occur within a wildlife corridor and does not support any wildlife nursery sites. However the outfall construction area occurs within the Rodeo Creek riparian corridor, which would be considered both a wildlife corridor and nursery site. As the outfall construction component of the project is limited in nature, impacts to wildlife corridors and nursery sites would be avoided through tree replacement, implementation of Avoidance and Minimization Measures in Section 8.2. *Accordingly, while Project implementation could result in impacts to wildlife corridors and nursery sites, with implementation of these measures, these impacts would be reduced to a level considered less than significant pursuant to CEQA and do not exceed those considered in the 2008 IS/MND.*

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5 NIGHTTIME LIGHTING

Work is proposed to take place Monday through Saturday (6 days per week), between 7:00 a.m. to 5:00 p.m. (10 working hours per day). Some work could occur after hours or during the night-time, if necessary, and with appropriate permits and approvals. This remains consistent with the 2008 IS/MND.

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6 REDUCTION OF SPECIES

The Project site is developed or otherwise disturbed. According to a 2021 Draft Environment Impact Report prepared for the property by the County of Santa Cruz, existing uses on the site include storage, salvage, and salvage yard purposes. Towing, storage, and concrete businesses operate from the site, and storage containers, vehicles, boats, and campers are scattered across the site. Three sheds and an office trailer with an attached workshop are also present. The Project site does not provide habitat conducive to supporting significant populations of native plants or animals.

While the outfall construction area occurs within riparian habitat, the outfall construction component of the project is limited in nature, and impacts to any significant number of species of plants or animals would be avoided through tree replacement and implementation of Avoidance and Minimization Measures in Section 8.2.

Implementation of the proposed Project would not result in significant reduction in the number of species or plants or animals at the Project site. This remains consistent with the 2008 IS/MND.

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7 APPLICABLE LOCAL PLANS, ORDINANCES, AND LAWS

7.1 SANTA CRUZ COUNTY GENERAL PLAN 2024

The 2024 General Plan for the County of Santa Cruz (also known as the Local Coastal Program (LCP)) serves to guide and regulate land use and development in unincorporated Santa Cruz County. The following goals in the 2024 General Plan (County of Santa Cruz, 2024b) are relevant to the development of the Property with regard to biological resource constraints; the project complies with all of these goals. Justification for how the Project complies with each goal is provided in *italics* below the General Plan text.

7.1.1 Objective ARC-3.1 Biological Diversity

To maintain the biological diversity of the County through an integrated program that includes open space acquisition and protection; identification and protection of plant habitat and wildlife corridors and habitats; protection and restoration of habitat for local, state, and federally protected species; careful regulation of low-intensity and resource compatible land uses in sensitive habitats; and mitigation for project impacts and resource extraction.

The Project will maintain the biological diversity of the County by replacing impacted wetlands on the Project site with a single larger, higher quality wetland. The Project will also replace riparian trees removed from the riparian corridor at the offsite outfall construction area at a 3:1 ratio.

7.1.1.1 ARC-3.1.2 Definition of Sensitive Habitat

An area is defined as a sensitive habitat if it meets one or more of the following criteria:

(1) Areas of special biological significance as identified by the State Water Resources Control Board.
(2) Areas that provide habitat for locally unique biotic species/communities, including coastal scrub, maritime chaparral, native rhododendrons and associated Elkgrass, mapped grasslands in the coastal zone and sand parkland; and Special Forests including San Andreas Live Oak Woodlands, Valley Oak, Santa Cruz Cypress, indigenous Ponderosa Pine, indigenous Monterey Pine and ancient forests.
(3) Areas adjacent to essential habitats of rare, endangered or threatened species as defined in (5) and (6) below.
(4) Areas that provide habitat for Species of Special Concern as listed by the California Department of Fish and Wildlife in the Special Animals list, California Natural Diversity Database.
(5) Areas that provide habitat for rare or endangered species that meet the definition of Section 15380 of the California Environmental Quality Act guidelines.

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(6) Areas that provide habitat for rare, endangered or threatened species as designated by the California Fish and Game Commission, United States Fish and Wildlife Service or California Native Plant Society.
(7) Nearshore reefs, rocky intertidal areas, sea caves, islets, offshore rocks, kelp beds, marine mammal hauling grounds, sandy beaches, shorebird roosting, resting and nesting areas, cliff nesting areas and marine, wildlife or educational/research reserves.
(8) Dune plant habitats.
(9) All lakes, wetlands, estuaries, lagoons, streams and rivers.
(10) Riparian corridors.

Wetlands are the only sensitive habitats on the Project site. Additionally, a riparian corridor is present at the offsite outfall construction area.

7.1.1.2 ARC-3.1.4 Sensitive Habitat Protection Ordinance

Implement protection of sensitive habitats and of ESHA [Environmentally Sensitive Habitat Areas] through SCCC [Santa Cruz County Code] Chapters 16.32 Sensitive Habitat Protection, 16.30 Riparian Corridor and Wetlands Protection, and 13.20 Coastal Zone Regulations. Any amendments to this ordinance shall require a finding that sensitive habitats shall be afforded equal or greater protection by the amended language.

The Project will protect sensitive habitats, including wetlands and riparian corridors, by replacing and enhancing the functions and values of the impacted areas within these habitats. The low-quality wetlands on the Project site will be replaced with a higher quality wetland, and riparian trees removed at the offsite outfall construction area will be replaced at a 3:1 ratio within Rodeo Creek.

7.1.1.3 ARC-3.1.6 Development Within Sensitive Habitats

Sensitive habitats shall be protected against any significant disruption of habitat values, and any proposed development within or adjacent to these areas must maintain or enhance the functional capacity of the habitat. Reduce in scale, redesign, or, if no other alternative exists, deny any project that cannot sufficiently mitigate significant adverse impacts on sensitive habitats unless approval of a project is legally necessary to allow a reasonable use of the land.

The Project will not significantly disrupt habitat values of sensitive habitats, and impacted sensitive habitats will be enhanced by the Project. The wetlands on the Project site are considered low quality because they are small, surrounded by development, and receive untreated runoff. The riparian habitat at the outfall construction area is also relatively low quality because it is located along a trash-covered roadway embankment. The Project will enhance these impacted habitats by constructing a high-quality seasonal wetland on the Project site and by replacing riparian trees impacted by the work in Rodeo Gulch at a 3:1 ratio.

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7.1.1.4 ARC-3.1.7 Site Design and Use Regulations

Protect sensitive habitats against any significant disruption or degradation of habitat values in accordance with the Sensitive Habitat Protection ordinance. Utilize the following site design and use regulations on parcels containing these resources, excluding existing agricultural operations:

(1) Structures, when allowed, shall be placed as far from the habitat as feasible.
(2) Delineate development envelopes to specify location of development in minor land divisions and subdivisions.
(3) Consider use of conservation or open space easements, deed restrictions, Conditions of Approval or equivalent measures to protect that portion of a sensitive habitat on a project parcel which is undisturbed by a proposed development activity or to protect sensitive habitats on adjacent parcels.
(4) Limit or restrict outdoor access of domestic animals where they threaten sensitive habitats.
(5) Limit removal of native vegetation to the minimum amount necessary for structures, landscaping, driveways, septic systems and gardens.
(6) Maintain regulations and impose development permit conditions of approval as warranted, to limit landscaping with invasive or exotic species and to strongly encourage or require the use of characteristic native species, as well as consistency with the Water Efficient Landscaping Ordinance.

Sensitive habitats will be protected by replacing them in-kind with higher quality habitats and by expanding the area of the sensitive habitats. Impacts to sensitive habitats are the minimum necessary to achieve the Project purpose.

7.1.2 Objective ARC-3.3 Riparian Corridors and Wetlands

To preserve, protect, and restore all riparian corridors and wetlands for the protection of wildlife and aquatic habitat, water quality, erosion control, open space, aesthetic and recreational values and the conveyance and storage of flood waters.

As outlined above, the Project will restore and enhance impacted riparian corridors and wetlands.

7.1.2.1 ARC-3.3.1 Designation of Riparian Corridors and Wetlands

Designate and define the following areas as Riparian Corridors:

(1) 50’ from the top of a distinct channel or physical evidence of high-water mark of a perennial stream;
(2) 30’ from the top of a distinct channel or physical evidence of high water mark of an intermittent stream as designated on the General Plan maps and through field

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inspection of undesignated intermittent and ephemeral streams;
(3) 100' of the high water mark of a lake, wetland, estuary, lagoon, or natural body of standing water;
(4) The landward limit of a riparian woodland plant community (water-dependent woodland areas); and
(5) Wooded arroyos within urban areas.

The riparian corridor at the outfall construction area has been mapped in accordance with this definition.

7.1.2.2 ARC-3.3.2 Riparian Corridor and Wetland Protection Ordinance

Implement the protection of riparian corridors and wetlands through the Riparian Corridor and Wetland Protection ordinance to ensure no net loss and to encourage restoration and a net increase of riparian corridors and riparian wetlands. Any amendments to this ordinance shall require a finding that riparian corridors and wetlands shall be afforded equal or greater protection by the amended language.

As outlined above, the Project will result in a net increase in riparian corridor and wetland area and function.

7.1.2.3 ARC-3.3.3 Activities Within Riparian Corridors and Wetlands

Development activities, land alteration, and vegetation disturbance within riparian corridors and wetlands and required buffers shall be prohibited unless an exception permit is granted per the Riparian Corridor and Wetlands Protection ordinance. As a condition of a riparian exception permit, require evidence of compliance with applicable permit or review requirements of the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and other federal or state agencies that may have regulatory authority over activities within riparian corridors and wetlands.

A Riparian Exception was granted for the outfall riparian impacts in 2008. The Project will comply with the Riparian Corridor and Wetlands Protection ordinance by resulting in a net increase in riparian corridor and wetland area and function. The Project will obtain permits from CDFW and the Regional Water Board and will comply with applicable permit requirements.

7.1.2.4 ARC-3.3.5 Setback from Wetlands

Prohibit development within the 100-foot riparian corridor of all wetlands. Permit exceptions to this setback only where consistent with the Riparian Corridor and Wetlands Protection ordinance, and in all cases, maximize distance between proposed structures and wetlands as feasible and mitigated. Require measures to prevent water quality degradation from adjacent land uses, as outlined in Goal ARC-4: Water Resources.

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The Project will comply with the Riparian Corridor and Wetlands Protection ordinance by resulting in a net increase in riparian corridor and wetland area and function. Impacts to riparian corridors and wetlands are the minimum necessary to achieve the Project purpose.

7.1.2.5 ARC-3.3.8 Environmental Review for Riparian Corridor and Wetland Protection

Require environmental review of all proposed development projects affecting riparian corridors or wetlands and preparation of a Biotic Report for projects that, as proposed, may have a significant effect on the corridors or wetlands. Compliance with County regulations is generally considered to prevent the possibility of significant environmental impacts, and any biotic and/or riparian exception permit process may involve project specifications and/or conditions that would also prevent the possibility of significant environmental impacts.

This document implements this requirement.

7.1.2.6 ARC-3.3.9 Management Plans for Wetland Protection

Require development in or adjacent to wetlands to incorporate the recommendations of a management plan that evaluates: migratory waterfowl use from December 1 to April 30, native fish migration, compatibility of agricultural uses and biotic and water quality protection, maintenance of biologic productivity and diversity, flood protection and hydrologic value, and the permanent protection of adjoining uplands.

The wetland created on the Project site will be managed in accordance with a long-term management plan, Stormwater Control Plan, and the Covenants, Conditions, and Restrictions (CC&Rs) for the development.

7.1.2.7 ARC-3.3.10 Development in Wetland Drainage Basins

Require development projects in wetland drainage basins to include drainage facilities or Best Management Practices (BMPs) that will maintain surface runoff patterns and water quality, unless a wetland management plan specifies otherwise, and will minimize erosion, sedimentation, and introduction of pollutants.

The wetland created on the Project site will be managed in accordance with a long-term management plan, Stormwater Control Plan, and the CC&Rs for the development. These documents will ensure that the Homeowners Association maintains drainage facilities providing hydrology to the wetland and protects the water quality of the wetland.

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8 IMPACTS, MONITORING PLANS, AVOIDANCE MEASURES

With compliance with regulatory authorizations, implementation of compliance plans and monitoring programs, and AMMs, all Project-related impacts on biological resources would be reduced to a level considered less than significant and would not exceed those considered in the 2008 IS/MND.

8.1 REGULATORY AUTHORIZATIONS

Implementation of the Project would result in impacts to a total of approximately 0.041 acre (455 linear feet) of aquatic resources on the Project site and 0.07 acre of riparian habitat within the outfall construction area. Preparation and implementation of the below Environmental Monitoring Plans and avoidance and minimization measures, in addition to agency consultation and compliance with Project authorizations issued by applicable regulatory agencies, would ensure reduction of impacts to protected habitats to a level considered less than significant pursuant to CEQA.

Prior to Project commencement, consultation with and/or authorization from applicable state agencies (e.g., Regional Water Board and CDFW) and federal agencies (e.g., USACE) charged with overseeing potential impacts on special-status habitats shall be secured. All terms and/or conditions (e.g., monitoring, reporting, timing, and work limits) established within the agency consultations and authorizations would be fully implemented. Any identified compensatory mitigation would be completed consistent with agency consultation and authorization requirements.

8.2 ENVIRONMENTAL MONITORING PLANS

As discussed in Section 1.3.3, the compliance and monitoring plans described below would be incorporated into the Project's Contract Documents to ensure protection of the environment.

8.2.1 Stormwater Pollution Prevention Plan

Construction activities that would disturb 1 acre or more of soil, or that would disturb less than 1 acre but are part of a larger common plan of development that in total would disturb 1 or more acres, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ (Construction General Permit). The Construction General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer. The SWPPP would describe the best management practices (BMPs) to address potential stormwater runoff impacts from construction activities.

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The temporary construction site BMPs to be included in the SWPPP will include but not be limited to the following:

a. Measures for managing runoff when water is used for dust control on stockpiles.
b. Measures for monitoring erosion and sediment migration from stockpiles.
c. Specific practices that may be implemented to reduce the sediment load of stormwater runoff, including stormwater control devices (earth berms, silt fences/curtains, or other barriers) installed along the perimeter of stockpile areas and protection of existing catch basins with silt fences or gravel bags.
d. Chemical and fuel storage plans (secondary containment and other measures).
e. Inspection and maintenance of protected areas regularly during the course of the work.
f. Sealing or placing filter fabric at storm drains and using other appropriate BMPs.

8.2.2 Wetland Monitoring Plan

A Wetland Monitoring Plan (WMP) will be developed for the created wetland. The WMP will be prepared by a qualified biologist or restoration professional and will include the following minimum elements:

a. Design plans for the created wetland.
b. Criteria and standards by which the wetland will compensate for impacts of the proposed Project on aquatic resources.
c. Discussion of the following shall be included: (1) the objectives of the created wetland, including the hydrologic and biotic conditions of the created wetland; (2) the specific methods to be employed for wetland creation and plant establishment; (3) success criteria and monitoring requirements to ensure the achievement of objectives; and, (4) remedial measures to be implemented in the event that performance standards are not achieved.
d. Site-specific native seed mixes and/or plantings proposed to achieve the desired plant community in the mitigation wetland.
e. A five-year management plan for maintenance and monitoring of the created wetland to ensure performance standards are achieved. Annual habitat monitoring reports will be submitted to the County Planning Department by January 31 of each monitoring year.

The project proponent will be responsible for execution of the 5-year management plan for maintenance and monitoring of the created wetland. If responsibility is transferred legally to

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another entity, County Environmental Planning Staff will be informed of any such transfer of responsibility.

8.3 AVOIDANCE AND MINIMIZATION MEASURES

The environmental component of the Project's monitoring program will include the following AMMs relevant to biological resources, as discussed in Section 1.3.3.

8.3.1 General Avoidance and Minimization Measures

During construction, measures shall be implemented to mitigate temporary construction impacts on the environment and surrounding community, including engineering controls and/or operational BMPs.

1. Worker Environmental Awareness Training: All construction personnel (hereinafter referred to as personnel) shall attend a mandatory environmental education program facilitated by the Project biologist prior to the initiation of construction activities. Training sessions shall be repeated for all new personnel before they are allowed access to the job site. All personnel shall complete the training and sign a form stating that they completed the training and understand all applicable agency regulations and consequences of non-compliance. The Project sponsor shall keep the forms on file and make them available to the regulatory agencies upon request.
2. Best Management Practices: Every reasonable precaution to protect offsite biological resources from construction by-products and pollutants such as debris, construction chemicals, fresh cement, saw water, or other deleterious materials shall be exercised. Measures will ensure minimization of disruptions to surrounding neighbourhoods, resources, and land uses and will include but not be limited to debris and dust controls, air and water pollution controls, water usage controls, and noise and vibration controls. The measures identified in these plans shall be based on the best available technology and shall include, but not be limited to, the following:
    - During construction, all onsite and/or construction related debris shall be disposed of at an authorized offsite disposal location.
    - All hazardous materials shall be stored and handled in strict accordance with the Safety Data Sheets for the products. The storage and handling of potential pollution-causing and hazardous materials, including but not necessarily limited to gasoline, oil, and paint, shall be in accordance with applicable federal, state, and local laws and regulations.
    - Erodible construction material shall be covered every night and during any rainfall event.
    - Vehicles and equipment that are used during the course of construction shall be fueled and serviced in an appropriate manner. Fueling locations shall be inspected after fueling

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to document that no spills have occurred. Any incidental spills shall be cleaned up immediately.

- Once the Project is completed, construction material, wastes, debris, sediment, rubbish, trash, fencing, and other construction items shall be removed from the site and transported to an authorized disposal area or recycling facility, as appropriate, in compliance with applicable federal, state, and local laws and regulations.

8.3.2 Special-Status Species Avoidance and Minimization Measures

- If construction and tree removal activities must occur during the migratory bird nesting season (February 1 through September 15), an avian nesting survey of the Project site and accessible contiguous habitat within 300 feet of all impact areas shall be conducted for active nests of protected migratory birds. The avian nesting survey shall be performed by a qualified wildlife biologist within 7 days prior to the start of ground or vegetation disturbance or building demolition activities. If an active bird nest is found, the nest shall be flagged and mapped on the construction plans, along with an appropriate no disturbance buffer, which shall be determined by the biologist based on the species' sensitivity to disturbance (generally 50-250 feet for passerines and 250-500 feet for raptors and special-status species). The nest buffer shall be demarcated in the field with flagging and stakes or construction fencing. Work within the nest avoidance buffer shall be prohibited until the juveniles have fledged.

- A bat habitat assessment and preconstruction bat survey shall be conducted within 14 days of the removal of any trees or demolition of buildings within the Project site. The biologist shall have access to all structures and interior attics, as needed. The survey shall consist of an acoustic and visual emergence survey for bats, completed by a qualified biologist with experience identifying bat roosts and behavior. If a colony of bats is found roosting in a structure or vegetation, surveys will determine the species present and the type of roost, such as day, night, or maternity roost.

  If a non-maternity and non-wintering bat colony is found, the biologist shall develop and implement acceptable passive exclusion methods in coordination with or based on CDFW recommendations to ensure their protection and to avoid unnecessary harm. If a maternity colony or overwintering colony is found on the project site, then the qualified biologist shall establish a suitable non-disturbance buffer around the location in coordination with CDFW. The non-disturbance buffer shall remain in place until the qualified biologist determines that the maternal colony or wintering roost is no longer active.

- During the preconstruction surveys for nesting birds, the qualified biologist shall survey for San Francisco dusky woodrat middens within and adjacent to the outfall construction area; all nests (active and inactive) shall be mapped and flagged. To the

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extent feasible, San Francisco dusky woodrat nests shall be avoided during construction. If any existing nests can be avoided, they shall be isolated from the work area with the installation of wildlife exclusion fencing.

If individual woodrats are found within the Project work area during preconstruction surveys, work will not commence until the individual leaves the work area of its own volition. If woodrat middens are observed within the Project work area during preconstruction surveys, a relocation plan for woodrat nests affected by the Project will be prepared and approved by CDFW prior to implementation.

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Appendix A. Figures

Figure 1. Site and Vicinity Map

Figure 2. Site Map

Figure 3. Watershed Map

Figure 4. Delineation Map

Figure 5. Stormwater Map

Figures 6a & 6b. Impacts to Aquatic Resources Maps

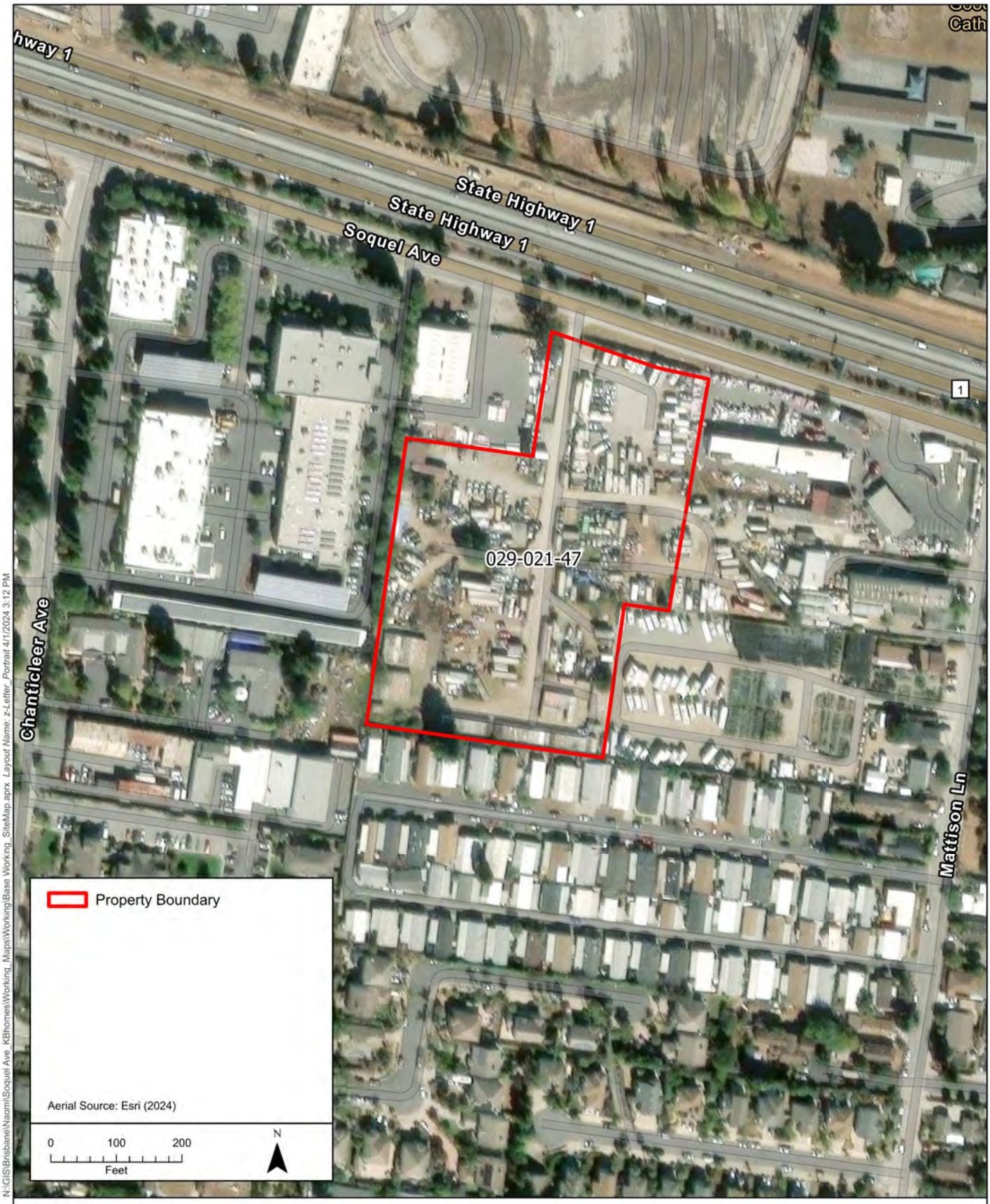
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5940 Soquel Avenue
Figure 1. Site and Vicinity Map

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5940 Soquel Avenue
Figure 2. Site Map

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5940 Soquel Avenue
Figure 3. Watershed Map

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Soquel Ave

W-1
SP-8
SP-9
W-2
C-1
C-2
W-3
SP-5
SP-6
SP-7
SP-2
W-4
SP-3
SP-4
OW-1
SP-1

Study Area (5.218 AC)
Sample Points
Potential Waters of the U.S./State
Culvert (165 LF)
Non-Wetland Ditch (0.010 AC/290 LF)
Wetland (0.033 AC)

Aerial Source: Esri (2024)

0 25 50
Feet

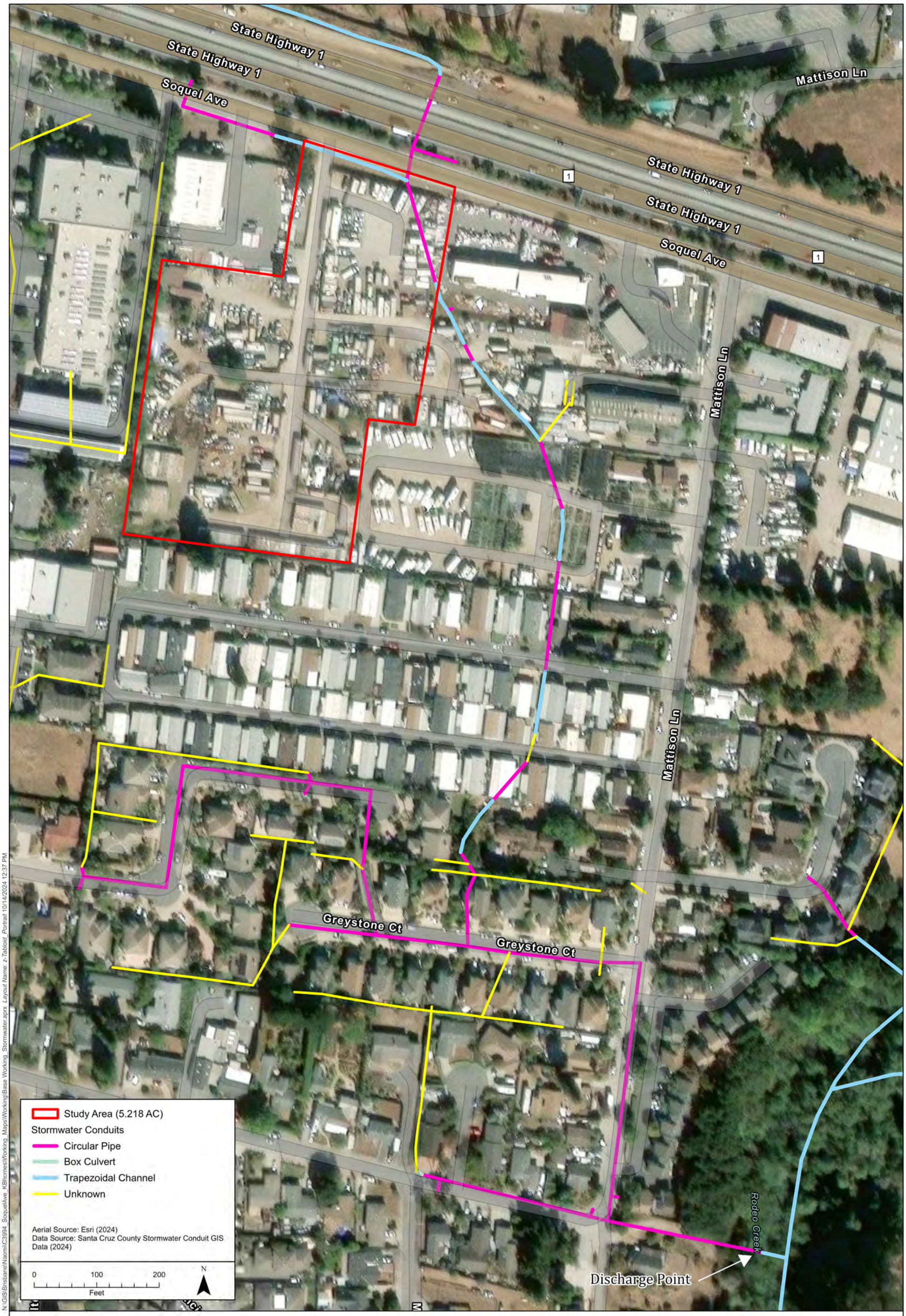
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5940 Soquel Avenue
Figure 4. Delineation Map

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5940 Soquel Avenue
Figure 5. Stormwater Map

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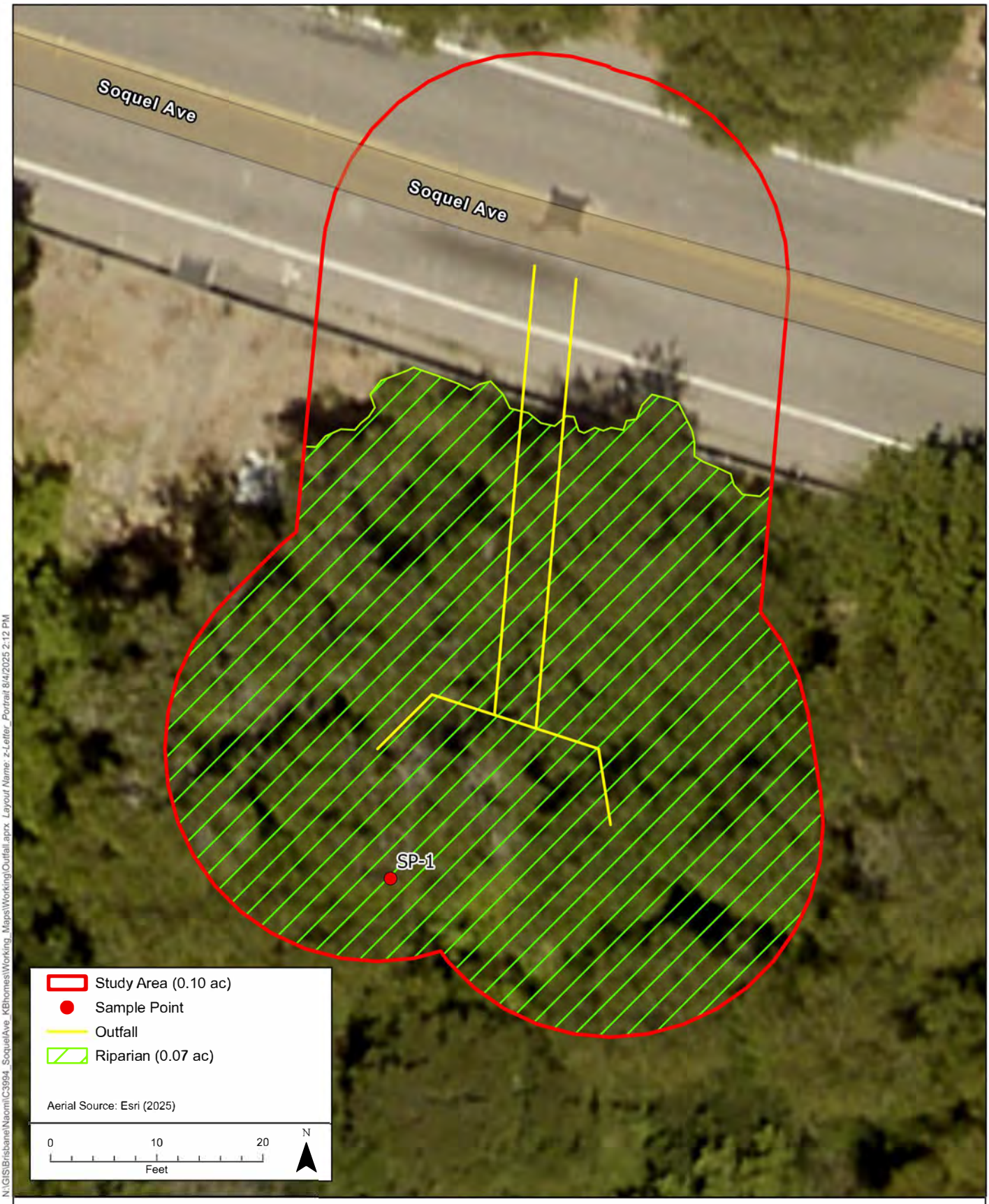


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5940 Soquel Avenue
Figure 6a. Impacts to Aquatic Resources Map

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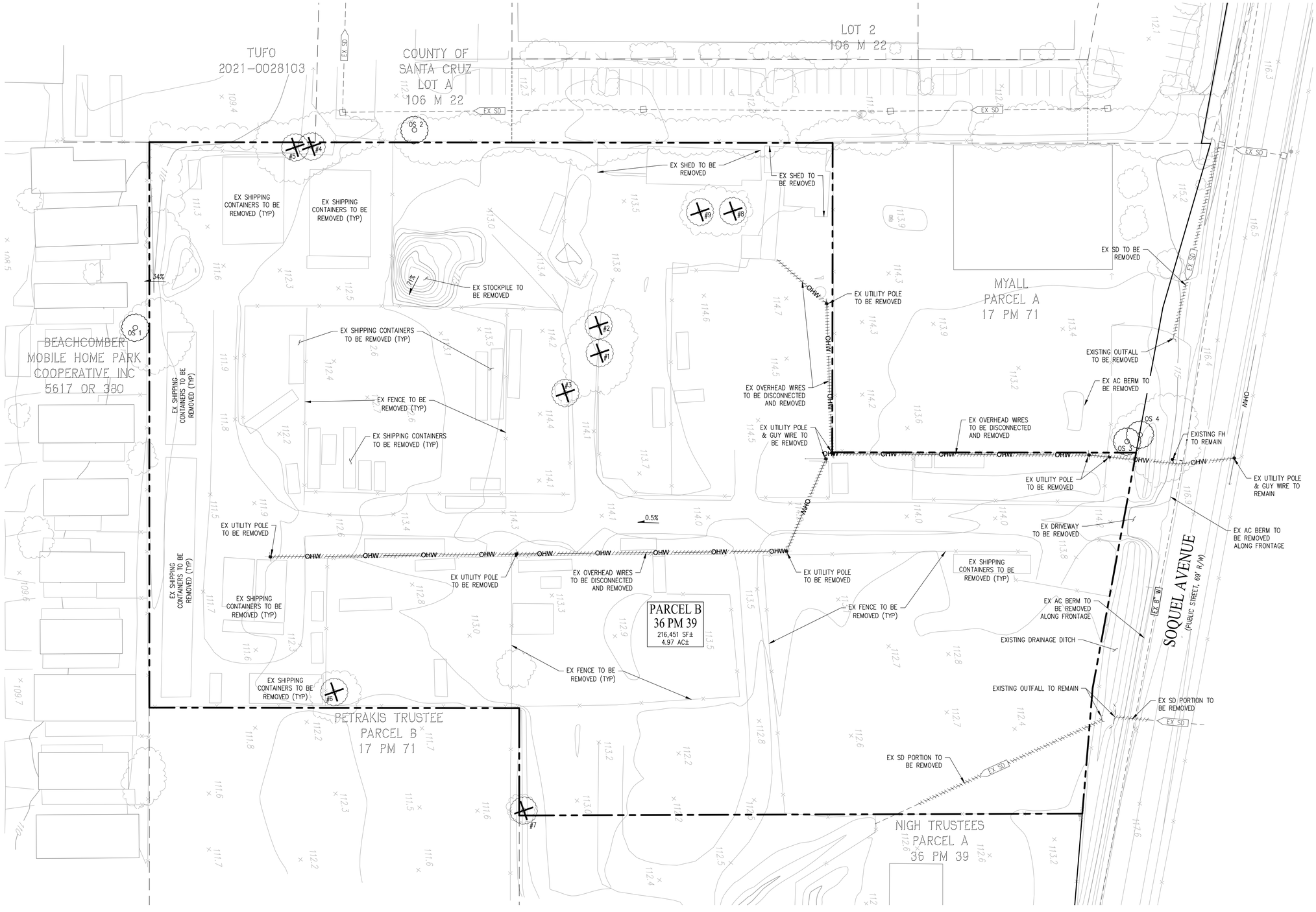
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5940 Soquel Avenue
Figure 6b. Impacts to Aquatic Resources Map at the Outfall Construction Area

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Appendix B. Site Plans

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LEGEND

- EXISTING BOUNDARY
- RIGHT OF WAY
- EXISTING CONTOUR
- OHW — EXISTING OVERHEAD WIRES
- OHW — EXISTING OVERHEAD WIRES TO BE REMOVED
- EX SD — EXISTING STORM DRAIN
- EX SD — EXISTING STORM DRAIN TO BE REMOVED
- EX 8" W — EXISTING WATER MAIN
- EXISTING STORM DRAIN HEADWALL
- EXISTING FIELD INLET
- EXISTING FIRE HYDRANT
- EXISTING FENCE
- EXISTING TREE TO BE REMOVED
- EXISTING TREE TO REMAIN

ABBREVIATIONS

AC	ACRE
EX	EXISTING
FH	FIRE HYDRANT
R/W	RIGHT OF WAY
SD	STORM DRAIN
SF	SQUARE FEET
TYP	TYPICAL
W	WATER

ONSITE TREE SUMMARY

TREE #	COMMON NAME	DIAMETER (BREAST HEIGHT)(INCHES)
1	SILVER WATTLE	20
2	SILVER WATTLE	MULTI (8.2, 9.3, 5.3)
3	RED MAPLE	5
4	RIVER RED GUM	10.7
5	RIVER RED GUM	MULTI (19, 11)
6	COAST LIVE OAK	NOT ACCESSIBLE
7	BLACKWOOD ACACIA	9
8	RAYWOOD ASH	NOT ACCESSIBLE
9	RAYWOOD ASH	NOT ACCESSIBLE

OFFSITE TREE SUMMARY

TREE #	COMMON NAME	DIAMETER BREAST HEIGHT (INCHES)
OS 1	COAST REDWOOD	UNKNOWN
OS 2	LONDON PLANE	UNKOWN
OS 3	MONTEREY PINE	37.7
OS 4	MONTEREY PINE	41.1

NOTES:

1) ENTIRE SITE TO BE CLEARED; ALL EXISTING STRUCTURES, TREES, DEBRIS, AND UTILITIES TO BE REMOVED.

2) AVERAGE SITE SLOPE: 0.50%±
MAXIMUM SITE SLOPE: 71%±

MAXIMUM SITE SLOPE IS LOCALIZED TO EXISTING STOCKPILE AND NOT REFLECTIVE OF SITE CONDITIONS.

3) REFER TO ARBORIST REPORT BY HMH, DATED NOVEMBER 12, 2024 FOR TREE DATA.

4) REFER TO GEOTECHNICAL FEASIBILITY REVIEW BY CORNERSTONE EARTH GROUP, DATED MARCH 29, 2024 FOR SOILS DATA.

3903-000

5940 Soquel Avenue

Santa Cruz, CA

December 12, 2024

APN: 029-021-047

EXISTING SITE PLAN

TM-2

KB Home

5000 Executive Parkway, Suite 125, San Ramon, CA 94583
650.288.5970

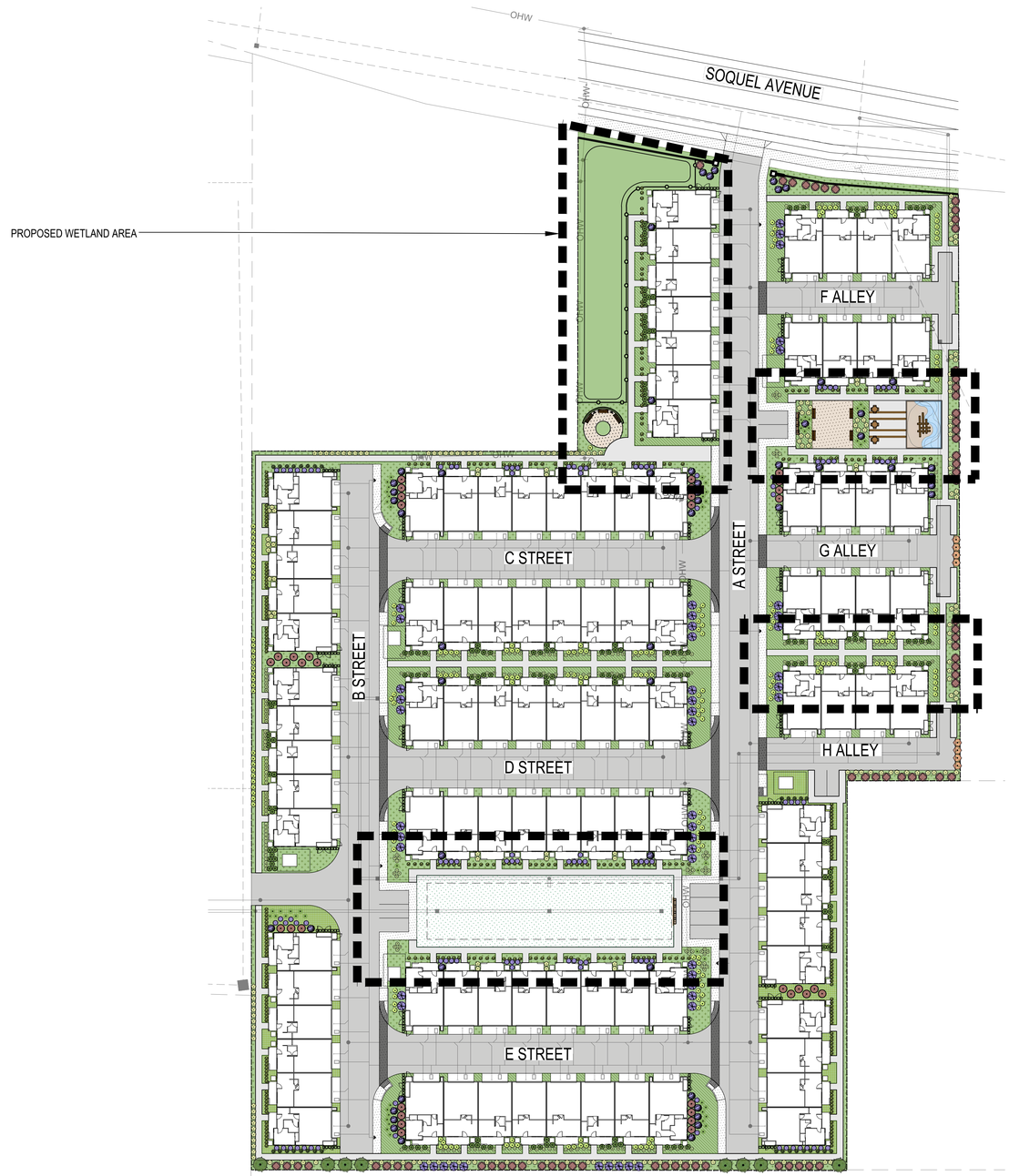
SDG Architects, Inc.
3361 Walnut Blvd. Suite 120
Brentwood, CA 94513
925.634.7000 | sdgarchitectsinc.com

0 30 60 90

REGISTERED PROFESSIONAL ENGINEER RYAN T. HANSEN 80557 CIVIL STATE OF CALIFORNIA

CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON · ROSEVILLE

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GRAPHIC SCALE

40 0 20 40 80 160

(In Feet)

1 inch = 40 feet

HMH

Land Use Entitlements
Land Planning
Landscape Architecture
Civil Engineering
Utility Design
Land Surveying
Stormwater Compliance

1570 Oakland Road (408) 487-2200
San Jose, CA 95131 HMHca.com

SOQUEL AVENUE
SANTA CRUZ, CA
KB HOME

NO	DATE	DESCRIPTION

PROJECT NO:	6986.00
CAD DWG FILE:	698600CL.DWG
DESIGNED BY:	KY
DRAWN BY:	TC
CHECKED BY:	CM
DATE:	APRIL 16, 2025
SCALE:	1" = 40'

© HMH

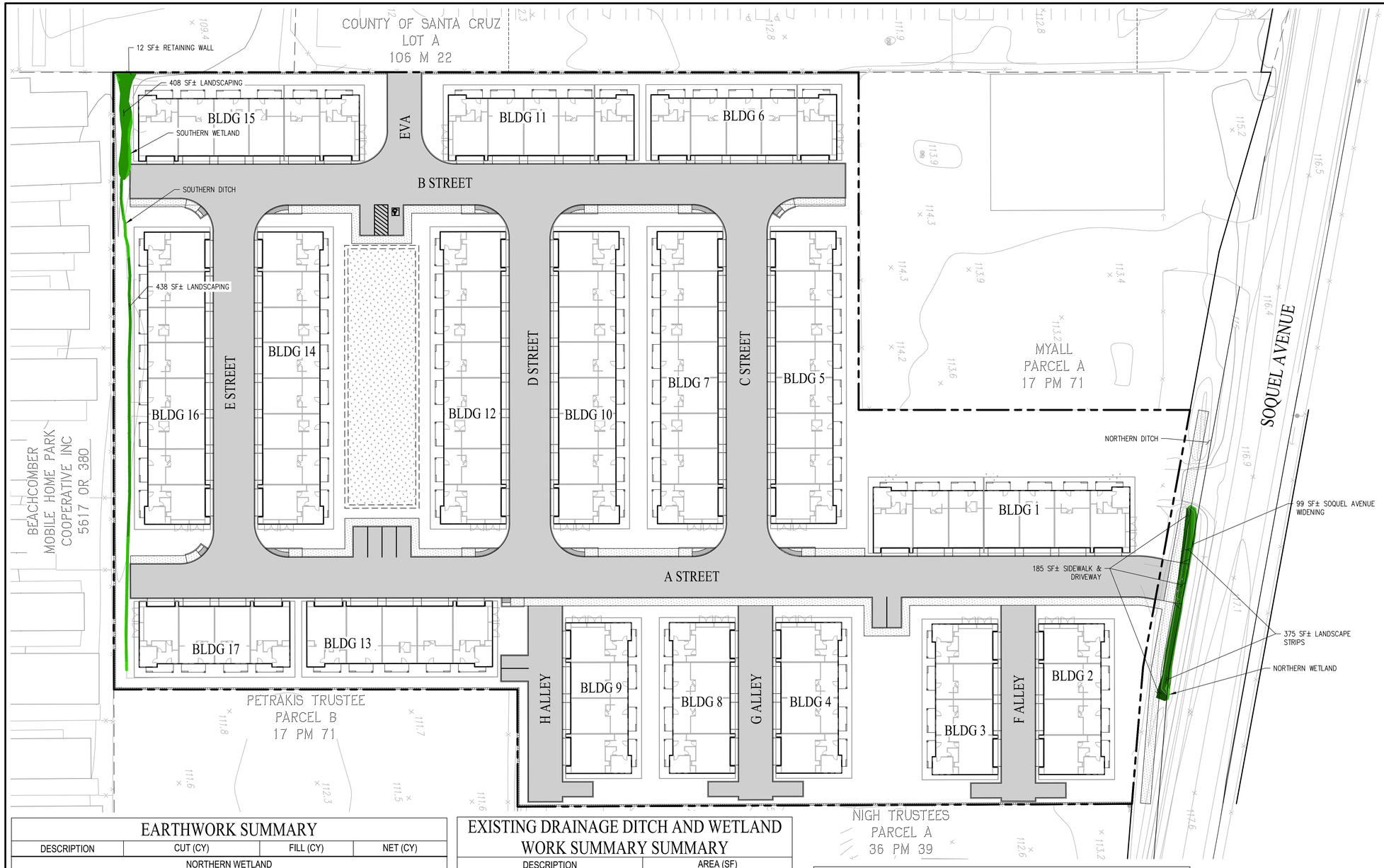
OVERALL LANDSCAPE PLAN

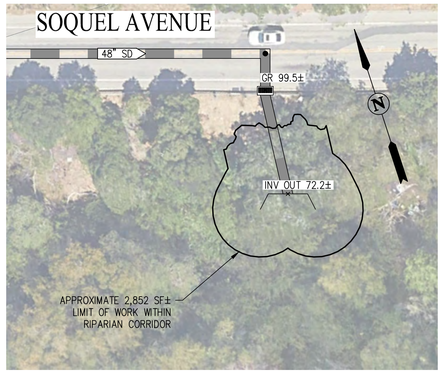
L3

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PLOTTED: 5/13/2025 3:30 PM

Exhibit D





SOQUEL AVENUE STORM DRAIN OUTFALL

NOT TO SCALE

OUTFALL EARTHWORK SUMMARY

DESCRIPTION	CUT (CY)	FILL (CY)	NET (CY)
OUTFALL & 48" SD	250	0	250 (C)

NOTES:

(1) STORM DRAIN & OUTFALL DESIGNS AND ALIGNMENT ARE PRELIMINARY, SUBJECT TO FIELD VERIFICATION AND FINAL DESIGN.
(2) ALL EARTHWORK & QUANTITIES ARE PRELIMINARY, SUBJECT TO FINAL DESIGN.

EARTHWORK SUMMARY

DESCRIPTION	CUT (CY)	FILL (CY)	NET (CY)
NORTHERN WETLAND			
DRIVEWAY & SIDEWALK	0	31	31 (F)
LANDSCAPE STRIPS	0	60	60 (F)
SOQUEL AVENUE WIDENING	0	13	13 (F)
SUBTOTAL (NORTHERN WETLAND)	0	104	104 (F)
SOUTHERN WETLAND			
RETAINING WALLS	0	1	1 (F)
LANDSCAPING	0	51	51 (F)
SUBTOTAL (SOUTHERN WETLAND)	0	52	52 (F)
SOUTHERN DITCH			
LANDSCAPING	0	50	50 (F)
SUBTOTAL (SOUTHERN DITCH)	0	50	50 (F)
TOTAL	**0**	**206**	**206 (F)**

NOTE: ALL EARTHWORK & QUANTITIES ARE PRELIMINARY, SUBJECT TO FINAL DESIGN.

EXISTING DRAINAGE DITCH AND WETLAND WORK SUMMARY SUMMARY

DESCRIPTION	AREA (SF)
NORTHERN WETLAND	
SOQUEL AVENUE STREET WIDENING	99
SIDEWALK & DRIVEWAY	185
LANDSCAPE STRIPS	375
SUBTOTAL (NORTHERN WETLAND)	659
SOUTHERN WETLAND	
RETAINING WALLS	12
LANDSCAPING	408
SUBTOTAL (SOUTHERN WETLAND)	420
SOUTHERN DITCH	
LANDSCAPING	438
SUBTOTAL (SOUTHERN DITCH)	438
TOTAL	**1,517**

NOTES:

(1) DRAINAGE DITCH AND WETLAND LOCATIONS ARE APPROXIMATE, SUBJECT TO FIELD VERIFICATION.
(2) ALL DRAINAGE DITCH AND WETLAND WORK IS PRELIMINARY, SUBJECT TO FINAL DESIGN.

ELEVATION TABLE

MINIMUM ELEVATION	MAXIMUM ELEVATION	AREA (SF)	COLOR
0.00	1.00	1,093	
1.00	2.00	1,483	
2.00	3.00	3,082	
3.00	4.00	3,752	
4.00	5.00	1,666	
5.00	6.00	427	

LEGEND

PROPERTY LINE
PROPOSED SIDEWALK
PROPOSED RETAINING WALL
PROPOSED ASPHALT CONCRETE
PROPOSED DRIVEWAY CONCRETE

CDFW JURISDISCTION WORK

5940 SOQUEL AVENUE

SANTA CRUZ COUNTY CALIFORNIA

SCALE: 1" = 30' DATE: AUGUST 5, 2025

0 30 60 90

cbg CIVIL ENGINEERS ▪ SURVEYORS ▪ PLANNERS
SAN RAMON ▪ (925) 866-0322
ROSEVILLE ▪ (916) 788-4456
WWW.CBANDG.COM

H:\3903-000\ACAD\EXHIBITS\XB-027_CDFW JURISDICTION WORK.DWG

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Appendix C. Aquatic Resource Delineation Report

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Aquatic Resource Delineation Report

5940 Soquel Avenue

Prepared for
KB Home South Bay
5000 Executive Pkwy, Ste 125
San Ramon, CA 94583

Prepared by

433 Visitacion Avenue
Brisbane, CA 94005

October 2024

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ACRONYMS AND ABBREVIATIONS

AJD	Approved Jurisdictional Determination
APN	accessor parcel number
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CFGC	California Fish and Game Code
CFR	Code of Federal Regulations
Court	U.S. Supreme Court
CWA	Clean Water Act
EPA	Environmental Protection Agency
FAC	facultative
FACU	facultative upland
FACW	facultative wetland
Field Guide	*A Field Guide to Lake and Streambed Alteration Agreements: Section 1600-1607 California Fish and Game Code*
FR	Federal Register
GNSS	Global Navigation Satellite System
HQUSACE	Headquarters, U.S. Army Corps of Engineers
NL	not listed
NRCS	Natural Resources Conservation Service
OBL	obligate
OHWM	ordinary high water mark
ORM	OMBIL Regulatory Module
PDSI	Palmer Drought Severity Index
Procedures	*State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*
RWQCB	Regional Water Quality Control Board
Sackett	*Sackett v. EPA*
SWRCB	State Water Resources Control Board
UPL	upland

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U.S.	United States
USACE	U.S. Army Corps of Engineers
U.S.C.	United States Code
USGS	U.S. Geological Survey
WDR	waste discharge requirements

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1 INTRODUCTION

This report describes the extent and location of potential waters of the United States (U.S.) that may be subject to the U.S. Army Corps of Engineers (USACE) jurisdiction pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. [United States Code] Section 1344), potential waters of the State that may be subject to Regional Water Quality Control Board (RWQCB) jurisdiction pursuant to Section 401 of the CWA (33 U.S.C. Section 1341) and the Porter-Cologne Water Quality Control Act (Porter-Cologne Act), and streams, lakes, and riparian vegetation subject to California Department of Fish and Wildlife (CDFW) jurisdiction pursuant to Section 1602 of California Fish and Game Code within the 5940 Soquel Avenue Study Area (Study Area). This investigation of potentially jurisdictional waters of the U.S. and State follows the methods described in *A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (USACE 2008a); the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987), supplemented with guidance as directed by the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0)* (USACE 2008b); and the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (SWRCB 2021). The boundaries of potential waters of the U.S. and State depicted in this report represent a calculated estimation and are subject to modification following the regulatory review process. All provided maps are consistent with the most recent Map and Drawing Standards for the South Pacific Division Regulatory Program.

We are requesting that USACE issue a verification of the delineation map appended to this report. Though some of the aquatic resources present in the Study Area do not appear to meet the current regulatory definition of waters of the U.S., we do not believe that requesting an Approved Jurisdictional Determination (AJD) will result in improved permitting outcomes for KB Home South Bay.

1.1 STUDY AREA LOCATION

The approximately 5.2-acre Study Area is located at 5940 Soquel Avenue in the unincorporated Live Oak community of Santa Cruz County, California (Appendix A, Figure 1). The Study Area includes Accessor Parcel Number (APN) 029-021-47 and is within the Soquel, CA, U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle (Appendix A, Figure 2). The approximate center point is at latitude 36.9833278°, longitude -121.9765361°.

1.2 WATERSHED

The Study Area is in the Monterey Bay watershed (Hydrologic Unit Code 12: 180600150305). Monterey Bay is approximately 1.5 miles south of the Study Area. The closest relatively

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permanent tributary to Monterey Bay, Rodeo Creek Gulch, is located approximately one-quarter mile east of the Study Area (Appendix A, Figure 3).

1.3 SURROUNDING LAND USE

The Study Area is surrounded by development on all sides, including light-industrial, commercial, residential, and institutional developments. Soquel Avenue, a frontage road to State Route 1, borders the northern Study Area boundary.

1.4 TOPOGRAPHY

The Study Area is nearly flat, gently sloping southeast and southwest. Topographic depressions in the Study Area are associated with constructed ditches at the northern, southern, and eastern edges of the Study Area. Mounds of dirt and debris are scattered across the site.

1.5 EXISTING SITE CONDITIONS

The entire Study Area is developed or otherwise disturbed. According to a 2021 Draft Environment Impact Report prepared for the property by the County of Santa Cruz, existing uses on the site include storage, salvage, and salvage yard purposes. Towing, storage, and concrete businesses operate from the site, and storage containers, vehicles, boats, and campers are scattered across the site. Three sheds and an office trailer with an attached workshop are also present. There is a single ingress/egress point from Soquel Avenue and coarsely paved internal roadways throughout the Study Area.

1.6 VEGETATION COMMUNITIES

Vegetation communities in the Study Area include non-native annual grassland, seasonal wetland, ruderal, and ornamental/urban. Each of these vegetation communities is described below.

Non-Native Annual Grassland

This community is located within portions of the Study Area that are not subject to routine disturbance or planted with vegetation. This vegetation community occurs in patches throughout the Study Area and in linear strips at the edge of the Study Area. Typical plant species include *Festuca perennis* (Italian rye grass), *Avena* sp. (oats), *Bromus* sp. (brome), *Carduus pycnocephalus* (Italian thistle), *Erharta erecta* (panic veldt grass), *Geranium dissectum* (cutleaf geranium), *Helminthotheca echioides* (bristly ox tongue), *Hordeum murinum* (foxtail barley), *Hypochaeris* sp. (cat's ear), *Lysimachia arvensus* (scarlet pimpernel), *Medicago polymorpha*

Exhibit D

(burclover), *Plantago lanceolata* (narrowleaf plantain), *Raphanus* sp. (radish), and *Rumex crispus* (curly dock). A low cover of *Rubus armeniacus* (Himalayan blackberry) was commonly observed in this vegetation community.

Seasonal Wetland

This community is located in topographic low points at the southwestern, northern, and northeastern edges of the Study Area. During the October 2024 site visit, this community was characterized by a significant cover of plant species that generally occur in wetlands, including *Cyperus eragrostis* (tall flatsedge), *Mentha pulegium* (pennyroyal), *Epilobium ciliatum* (slender willow herb), and *Polypogon viridis* (beardless rabbitsfoot grass), mixed with plant species that are common to both wetlands and uplands, including Italian rye grass, Himalayan blackberry, and curly dock.

Ruderal

This community is located in portions of the Study Area subject to routine disturbance. This community contains species quick to colonize disturbed surfaces, such as *Foeniculum vulgare* (fennel), *Fumaria capreolata* (white ramping fumitory), *Parietaria Judaica* (spreading pellitory), and various species common in the non-native annual grassland community. Plant cover and species diversity are generally lower in the ruderal community than the non-native annual grassland community.

Ornamental/Urban

This community is located throughout the Study Area and consists of planted native and non-native species, including *Platanus acerifolia* (London planetree), *Fraxinus velutina* (Arizona ash), *Acacia baileyana* (bailey acacia), *Fraxinus angustifolia* (Raywood ash), *Cortaderia jubata* (pampas grass), *Crassula ovata* (jade), *Echium candicans* (pride of Madeira), *Herdera helix* (English ivy), *Lonicera japonica* (Japanese honeysuckle), *Eucalyptus globulus* (blue gum), and *Quercus agrifolia* (coast live oak).

1.7 SOILS

According to the Natural Resources Conservation Service (NRCS) Web Soil Survey, one soil map unit is present in the Study Area: Elkhorn sandy loam, 2 to 9 percent slopes. Elkhorn soils are derived from marine deposits and occur on terraces and alluvial fans. The typical soil profile is composed of sandy loam and sandy clay loam. Elkhorn soils are well drained with low runoff and no shallow restrictive features. One percent of this soil map unit has a hydric soil rating.

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1.8 HYDROLOGY

Most of the Study Area drains southwest and derives hydrology primarily from direct precipitation. However, the northern and eastern portions of the Study Area drain southeast and derive hydrology from runoff from Soquel Avenue, State Route 1, and lands north of State Route 1.

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2 REGULATORY SETTING

2.1 WATERS OF THE UNITED STATES

Waters of the U.S. are regulated by USACE and the RWQCB in accordance with Section 404 and 401 the Clean Water Act, respectively. The definition of waters of the U.S. has been the subject of significant litigation and repeated regulatory revisions. The current definition of waters of the U.S. at 33 Code of Federal Regulations (CFR) Part 328 is the direct result of the May 25, 2023, U.S. Supreme Court (Court) decision in *Sackett* v. *Environmental Protection Agency* (EPA), 598 U.S._, 143 S. Ct. 1322 (2023) (*Sackett*). In the *Sackett* ruling, the Court concluded that "the [Clean Water Act]'s use of `waters' encompasses `only those relatively permanent, standing or continuously flowing bodies of water "forming geographic[al] features" that are described in ordinary parlance as "streams, oceans, rivers, and lakes." ' " *Id.* at 1336 (quoting *Rapanos*, 547 U.S. at 739). The Court thereby eliminated all ephemeral waterbodies from the definition of waters of the U.S. The Court further concluded that wetlands are only waters of the U.S. "when wetlands have `a continuous surface connection to bodies that are "waters of the United States" in their own right, so that there is no clear demarcation between "waters" and wetlands.' " *Id.* at 1344 (citing *Rapanos*, 547 U.S. at 742, 755). Therefore, wetlands without a "continuous surface connection" to a relatively permanent water were eliminated from the definition of waters of the U.S. Finally, the Court concluded that wetlands do not qualify as waters of the U.S. solely because they are interstate. According to the Court, only open waters qualify as waters of the U.S. on the sole basis of being interstate. The *Sackett* decision has therefore reduced the authority of regulatory agencies under the Clean Water Act.

On September 8, 2023 (88 FR [Federal Register] 61964), the EPA and the Department of the Army amended the regulatory definition of waters of the U.S. under the Clean Water Act to conform with the *Sackett* ruling. The current definition of waters of the U.S. at 33 CFR § 328.3 reads as follows:

(a) Waters of the United States means:

(1) Waters which are:

(i) Currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

(ii) The territorial seas; or

(iii) Interstate waters;

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(2) Impoundments of waters otherwise defined as waters of the United States under this definition, other than impoundments of waters identified under paragraph (a)(5) of this section;

(3) Tributaries of waters identified in paragraph (a)(1) or (2) of this section that are relatively permanent, standing or continuously flowing bodies of water;

(4) Wetlands adjacent to the following waters:

(i) Waters identified in paragraph (a)(1) of this section; or

(ii) Relatively permanent, standing or continuously flowing bodies of water identified in paragraph (a)(2) or (a)(3) of this section and with a continuous surface connection to those waters;

(5) Intrastate lakes and ponds not identified in paragraphs (a)(1) through (4) of this section that are relatively permanent, standing or continuously flowing bodies of water with a continuous surface connection to the waters identified in paragraph (a)(1) or (a)(3) of this section.

(b) The following are not "waters of the United States" even where they otherwise meet the terms of paragraphs (a)(2) through (5) of this section:

(1) Waste treatment systems, including treatment ponds or lagoons, designed to meet the requirements of the Clean Water Act;

(2) Prior converted cropland designated by the Secretary of Agriculture. The exclusion would cease upon a change of use, which means that the area is no longer available for the production of agricultural commodities. Notwithstanding the determination of an area's status as prior converted cropland by any other Federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA;

(3) Ditches (including roadside ditches) excavated wholly in and draining only dry land and that do not carry a relatively permanent flow of water;

(4) Artificially irrigated areas that would revert to dry land if the irrigation ceased;

(5) Artificial lakes or ponds created by excavating or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing;

(6) Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating or diking dry land to retain water for primarily aesthetic reasons;

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(7) Waterfilled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States; and

(8) Swales and erosional features (e.g., gullies, small washes) characterized by low volume, infrequent, or short duration flow.

2.1.1 Limit of Jurisdiction in Non-Tidal Waters

Per 33 CFR § 328.4(c), the limit of Clean Water Act jurisdiction in non-tidal waters is either the "ordinary high water mark" (OHWM) or the wetland edge. Wetlands are defined as "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR § 328.3(c)(1), 51 FR 41251, November 13, 1986). The OHWM is defined as the "line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas" (33 CFR § 328.3(c)(4), 51 FR 41251, November 13, 1986).

2.1.2 Wetland Determinations

Consistent with the *Army Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987) and *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0)* (USACE 2008b), to be designated a wetland, the following three parameters must be met if normal circumstances are present:

(1) a majority of dominant vegetation species are wetland-associated species;

(2) hydrologic conditions exist that result in periods of flooding, ponding, or saturation during the growing season; and

(3) hydric soils are present.

The criteria necessary to meet these three wetland parameters are outlined below.

2.1.2.1 Vegetation

Hydrophytic vegetation is defined as "the sum total of macrophytic plant life that occurs in areas where the frequency and duration of inundation or soil saturation produce permanent or periodically saturated soils of sufficient duration to exert a controlling influence on the plant species present" (Environmental Laboratory 1987). The USACE definition of wetlands includes

Exhibit D

"a prevalence of vegetation typically adapted for life in saturated soil conditions," with prevalence determined by the dominant plant species comprising the plant community (op. cit.).

The "50/20 rule" is generally used to determine dominant plant species at each sample point location. The rule states that for each stratum in the plant community, dominant species are the most abundant plant species (when ranked in descending order of abundance and cumulatively totaled) that immediately exceed 50 percent of the total dominance measure for the stratum, plus any additional species that individually comprise 20 percent or more of the total dominance measure for the stratum (HQUSACE [Headquarters, USACE] 1992). Dominant plant species observed at each sample point are classified according to their indicator status (probability of occurrence in wetlands) (Table 1). If more than 50 percent of the dominant vegetation on a site is classified as obligate (OBL), facultative wetland (FACW), or facultative (FAC), then the site meets the wetland vegetation parameter under the 50/20 rule.

Table 1. Classification of Wetland-Associated Plant Species

Plant Species Classification	Abbreviation	Probability of Occurring in Wetland
Obligate	OBL	Almost always occur in wetlands
Facultative Wetland	FACW	Usually occur in wetlands but may occur in non-wetlands
Facultative	FAC	Occur in wetlands and non-wetlands
Facultative Upland	FACU	Usually occur in non-wetlands but may occur in wetlands
Upland	UPL	Almost never occur in wetlands
Plants that are not listed	NL (UPL)	Assumed upland species

2.1.2.2 Hydrology

By definition, wetlands are seasonally inundated or saturated at or near (within 12 inches of) the soil surface. To be classified as a wetland, a site should have at least one primary indicator or two secondary indicators of wetland hydrology. Examples of primary indicators of wetland hydrology include surface soil cracks, water-stained leaves, and biotic crust. In addition to the primary indicators, there are a variety of secondary wetland hydrology indicators. Examples of secondary indicators include drainage patterns, saturation visible on aerial imagery, and dry-season water table.

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2.1.2.3 Soils

A hydric soil is defined as a soil that is formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (NRCS 2003). Indicators that a hydric soil is present include soil color (gleyed soils and soils with bright mottles and/or low matrix chroma), aquic or preaquic moisture regime, reducing soil conditions, sulfidic material (odor), soils listed on hydric soils list, iron and manganese concretions, organic soils (Histosols), histic epipedon, high organic content in surface layer in sandy soils, and organic streaking in sandy soils. A soil pit is excavated to the depth of refusal at each sample point. The soil is then examined for hydric soil indicators. The matrix color and mottle color (if present) of the soil are determined using the Munsell Soil Color Charts (Kollmorgen Instruments Co. 1990).

2.2 WATERS OF THE STATE

The RWQCB also is authorized under Section 13263 of the Porter-Cologne Act to regulate discharges to waters of the State through issuance of permits referred to as waste discharge requirements (WDRs). In Section 13050(e), the act defines waters of the State to mean any surface water or groundwater, including saline waters, within the boundaries of California. This definition may include wetlands and drainages that are outside federal jurisdiction.

The State Water Resources Control Board (SWRCB) further clarified the definition of wetlands that qualify as waters of the State through adoption of the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures) (SWRCB 2021). Under the Procedures, the State defines wetlands as follows:

> "An area is wetland if, under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes or the area lacks vegetation."

The Procedures further state that waters of the State include all waters of the U.S., including all "features that are consistent with any current or historic final judicial interpretation of 'waters of the U.S.' or any current or historic federal regulation defining 'waters of the U.S.' under the Clean Water Act." USACE wetland delineation procedures are to be used to identify State-regulated wetlands, and the following wetland types are waters of the State:

(1) natural wetland;

(2) wetlands created by modification of a surface water of the State; and

Exhibit D

(3) artificial wetlands that meet certain criteria.

All artificial wetlands that are less than an acre in size are not waters of the State unless they were created by modification of a surface water of the State; approved as compensatory mitigation for impacts to other waters of the State; specifically identified in a water quality control plan as a wetland or other water of the state; or resulted from historic human activity, is not subject to ongoing operation and maintenance, and has become a relatively permanent part of the natural landscape.

2.3 CDFW 1602 JURISDICTION

CDFW regulates diversions and obstructions of the natural flows, and material changes or uses of the beds, channels, or banks, of rivers, streams, and lakes under Section 1602 of California Fish and Game Code (CFGC). The term stream, which includes creeks and rivers, is defined in 14 California Code of Regulations (CCR) Section 1.72 as follows: "A stream is a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation." Per Section 1.56, the term lake "includes natural lakes or man-made reservoirs."

Per *A Field Guide to Lake and Streambed Alteration Agreements: Section 1600-1607 California Fish and Game Code* (Field Guide; California Department of Fish and Game (CDFG) 1994), this definition is not complete with respect to Sections 1601 or 1603 because it does not define the terms bed, channel, or bank, and does not define stream related features such as aquatic life, riparian vegetation, etc. The Field Guide clarifies the definition as follows.

(1) The term stream can include intermittent and ephemeral streams, rivers, creeks, dry washes, sloughs, blue-line streams (USGS Maps), and watercourses with subsurface flow. Canals, aqueducts, irrigation ditches, and other means of water conveyance can also be considered streams if they support aquatic life, riparian vegetation, or stream-dependent wildlife.

(2) Biologic components of a stream may include aquatic and riparian vegetation.

(3) A stream not only includes water (at least on an intermittent or ephemeral basis), but also a bed, bank, and/or levee.

(4) The lateral extent of a stream can be measured in ways depending on a particular situation and the type of fish or wildlife resources at risk. The following criteria are applicable to the proposed project.

Exhibit D

a. The outer edge of riparian vegetation is generally used as the line of demarcation between riparian and upland habitats and is therefore a reasonable and identifiable boundary for the lateral extent of a stream.

b. Most streams have a natural bank which confines flows to the bed or channel except during flooding. In some instances, particularly on smaller streams or dry washes with little or no riparian habitat, the bank should be used to mark the lateral extent of a stream.

c. A levee or other artificial stream bank could be used to mark the lateral extent of a stream. However, in many instances, there can be extensive areas of valuable riparian habitat located behind a levee (CDFG 1994).

Exhibit D

3 METHODS

Aquatic resources in the Study Area were mapped using a Juniper Systems Geode Global Navigation Satellite System (GNSS) with sub-meter accuracy. All wetland data was recorded on Arid West Routine Wetland Determination Data Forms (Appendix B). The shapefiles obtained from the mapping effort were projected onto an aerial map using ArcGIS Pro, Version 3.3.1 (Appendix A, Figure 4). Munsell Soil Color Charts (Kollmorgen Instruments Co. 1990) were used to aid in identifying hydric soils in the field. The Jepson eFlora (Jepson Flora Project 2024) was used for plant nomenclature and identification. Plant wetland indicator status was provided by the National Wetland Plant List 2020 wetland ratings (USACE 2020).

Field surveys were conducted on April 4 and October 8, 2024, by Naomi Schowalter, Shea Grady, and Sarah Beilman of Integral Consulting Inc. Representative photographs of the Study Area are provided in Appendix C. The April 4 survey was a reconnaissance-level effort, and the formal delineation of aquatic resources was conducted on October 8. A total of nine sample points, including three paired and three unpaired sample points, were evaluated to determine whether the vegetation, hydrology, and soils data supported a determination of wetland or non-wetland status. The paired sample points were established such that one point was located within the estimated wetland area and the other point was located outside the limits of the estimated wetland area.

Exhibit D

4 RESULTS

A total of 0.043 acre (455 linear feet) of aquatic resources potentially jurisdictional pursuant to the Clean Water Act and Porter-Cologne Act were mapped in the Study Area, including 0.033 acre of seasonal wetlands, 0.010 acre (290 linear feet) of non-wetland waters, and 165 linear feet of culverted waters. Potential waters of the U.S/State in the Study Area are summarized in Table 2. A delineation map is provided in Appendix A, Figure 4, and an OMBIL Regulatory Module (ORM) upload sheet is provided in Appendix D.

Table 2. Potential Waters of the U.S./State

Feature ID	Cowardin Code	Acres	Linear Feet
W-1	PEM (palustrine, emergent)	0.005	N/A
W-2	PEM (palustrine, emergent)	0.015	N/A
W-3	PEM (palustrine, emergent)	0.002	N/A
W-4	PEM (palustrine, emergent)	0.011	N/A
OW-1	R6 (riverine, ephemeral)	0.010	290
C-1	R4 (riverine, intermittent)	N/A	11
C-2	R4 (riverine, intermittent)	N/A	154
TOTAL		0.043	455

4.1 WETLANDS

Four seasonal wetlands (W-1, -2, -3, and -4) totaling 0.033 acre were identified in the Study Area (Table 2). Dominant plant species in the wetlands included tall flatsedge (FACW), Italian rye grass (FAC), beardless rabbitsfoot grass (FACW), and pennyroyal (OBL). Hydric soil indicators included Redox Dark Surface (F6) and Sandy Redox (S5). Hydrology indicators included Saturation Visible on Aerial Imagery (C9), Shallow Aquitard (D3), and FAC-Neutral Test (D5). Surface water was noted in W-1, -2, and -4 during the April site visit (W-3 was not observed at this time).

Wetlands in the Study Area are associated with topographic depressions receiving channelized runoff from upslope surfaces. Geospatial data from Santa Cruz County (2024) indicates that W-1, W-2, and W-3 are part of the County's stormwater conduit system (Appendix A, Figure 5), and stormwater pipes drain to and from each wetland. However, no culverts were visible at W-1 during the field surveys, and the culvert between W-2 and W-3 was mostly filled with sediment. W-4 is not part of the County's stormwater conduit system but occurs at the terminus of a drainage ditch (OW-1) along the southern boundary of the Study Area.

Exhibit D

4.2 OTHER WATERS

One other water (OW-1) was identified along the southern boundary of the Study Area, consisting of a 1.5-foot-wide constructed ditch. It is assumed that this ditch was constructed to prevent runoff from the Study Area from flooding the residential development to the south. Indicators of the OHWM included scour, sediment sorting, and shifts in vegetation characteristics. This ditch is anticipated to receive ephemeral flows in response to major precipitation events.

Another ditch was observed along the eastern portion of the Study Area that did not contain an OHWM (located at SP-7 on Appendix A, Figure 4). This ditch was constructed between two graded lots. A sample point was documented due to a low cover of tall flatsedge and pennyroyal observed in the ditch. It was concluded that this ditch is neither a wetland nor an other water.

4.3 CULVERTED WATERS

Two culverted waters were identified in the Study Area (C-1 and -2). C-1 is a 36-inch pipe that conveys flows from north of State Route 1 under the highway. Also, a drop inlet was observed along the southern edge of State Route 1 that conveys runoff from the highway directly into C-1. C-2 conveys flows from C-1 and W-2 to W-3. However, the inlet to C-2 is mostly filled with sediment, and the headwall is separated from the culvert. C-2 was estimated to be 18 inches wide. Both C-1 and C-2 are assumed to have intermittent flow based upon the standing water observed in W-2 during the April site visit.

Exhibit D

5 JURISDICTION DISCUSSION

5.1 CLEAN WATER ACT

W-1, W-4, and OW-1 do not appear to qualify as waters of the U.S. under the current regulatory definition resulting from the *Sackett* ruling. OW-1 appears to have ephemeral flow and therefore does not meet the definition of a "tributary." W-1 and W-4 do not appear to have any existing connectivity to waters of the U.S. W-1 is currently a closed depression without any visible culvert inlets or outlets. W-4 appears to end on the adjacent property without flowing into any other aquatic features or the storm drain system. Santa Cruz County's stormwater conduit data does not display any stormwater facilities in the vicinity of W-4 (Appendix A, Figure 5). Therefore, W-1 and W-4 are not "adjacent" wetlands.

W-2 and W-3 are wetland ditches connected to Rodeo Creek Gulch via approximately 2,100 linear feet of stormwater pipes and ditches according to the County's stormwater conduit data (Appendix A, Figure 5). While it is unclear whether this connection to Rodeo Creek Gulch is sufficient to qualify the features as adjacent wetlands, USACE could also evaluate these features as potential tributary waters. It seems likely that these features would qualify as tributaries based on being relatively permanent standing or continuously flowing bodies of water connected to Monterey Bay via Rodeo Creek Gulch. Standing/flowing water observed in W-2 during the April site visit (W-3 was not observed at this time) and surface water visible in multiple aerial photos indicate that these features meet the "relatively permanent" criterion. Therefore, W-2 and W-3 are expected to meet the current definition of waters of the U.S.

Since some of the aquatic resources in the Study Area appear to meet the definition of waters of the U.S. and the total area of aquatic resources in the Study Area is so low, there does not appear to be any benefit from requesting that USACE disclaim jurisdiction over isolated features through issuance of an AJD. A request for an AJD is likely to delay the permitting process while not resulting in reduced permit requirements. Therefore, we are requesting that USACE verify the delineation map in writing.

5.2 PORTER-COLOGNE ACT

All aquatic features identified in the Study Area are regulated by the RWQCB pursuant to the Porter-Cologne Act.

5.3 CDFW 1602 JURISDICTION

We do not believe that any of the aquatic features identified in the Study Area qualify as rivers, streams, or lakes regulated pursuant to CFGC Section 1602. The Study Area only contains

Exhibit D

constructed ditches and associated wetlands. Evidence indicates that the ditches were constructed for the purpose of managing runoff from disturbed surfaces with low or no permeability rather than re-routing a natural watercourse. There are no records of historic stream channels in or near the Study Area that would have been diverted into the ditches. Additionally, the ditches are set within a heavily developed landscape and provide little value to wildlife resources. Therefore, CDFW does not appear to have regulatory authority pursuant to CFGC Section 1602. However, CDFW exercises a broad interpretation of their regulatory authority under CFGC Section 1602, and if CDFW is questioned regarding their jurisdictional authority, we expect them to take jurisdiction over most or all of the aquatic features in the Study Area. Since failing to provide CDFW with a Notification of Lake or Streambed Alteration may result in the issuance of a violation, project delays, and little cost savings (due to overlapping RWQCB jurisdiction), CDFW should likely be engaged.

Exhibit D

6 CONCLUSION

A total of 0.043 acre (455 linear feet) of aquatic resources potentially jurisdictional pursuant to the Clean Water Act, Porter-Cologne Act, and CFGC Section 1602 were mapped in the Study Area. Of these aquatic features, 0.033 acre were seasonal wetlands, 0.010 acre (290 linear feet) were ephemeral other waters, and 165 linear feet were culverted waters. The mapped extent of all aquatic features and determinations regarding jurisdiction are subject to modification following the regulatory review process.

Exhibit D

7 REFERENCES

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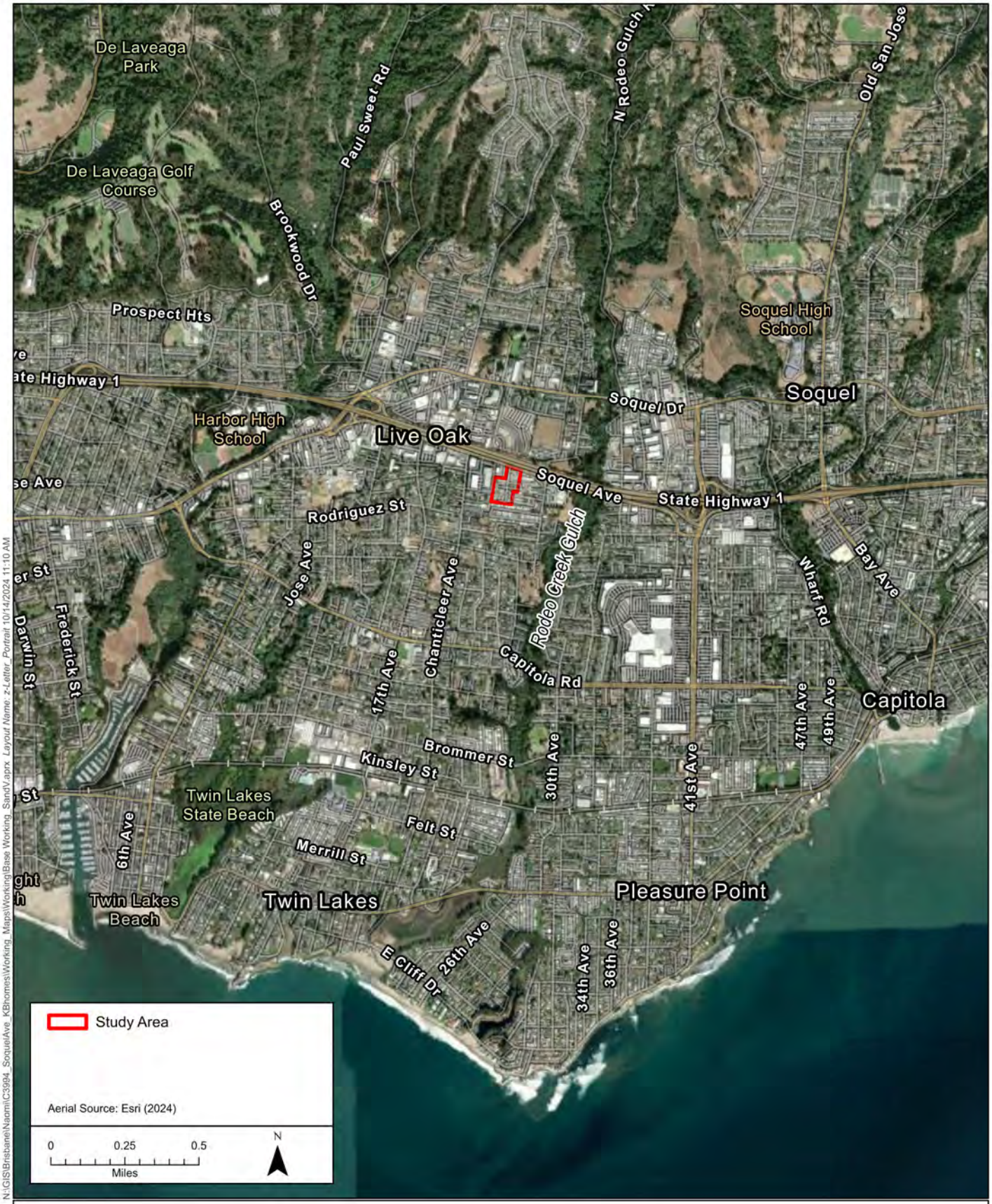
Exhibit D

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Exhibit D

Appendix A. Figures

Exhibit D



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integral consulting inc.

5940 Soquel Avenue
Figure 1. Site and Vicinity Map

Exhibit D



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5940 Soquel Avenue
Figure 2. USGS Topographic Map

Exhibit D



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5940 Soquel Avenue
Figure 3. Watershed Map

Exhibit D

Soquel Ave

W-1
SP-8
SP-9
W-2
C-1
C-2
W-3
SP-5
SP-6
SP-7
SP-2
W-4
SP-3
SP-4
OW-1
SP-1

Study Area (5.218 AC)
Sample Points
Potential Waters of the U.S./State
Culvert (165 LF)
Non-Wetland Ditch (0.010 AC/290 LF)
Wetland (0.033 AC)

Aerial Source: Esri (2024)

0 25 50
Feet

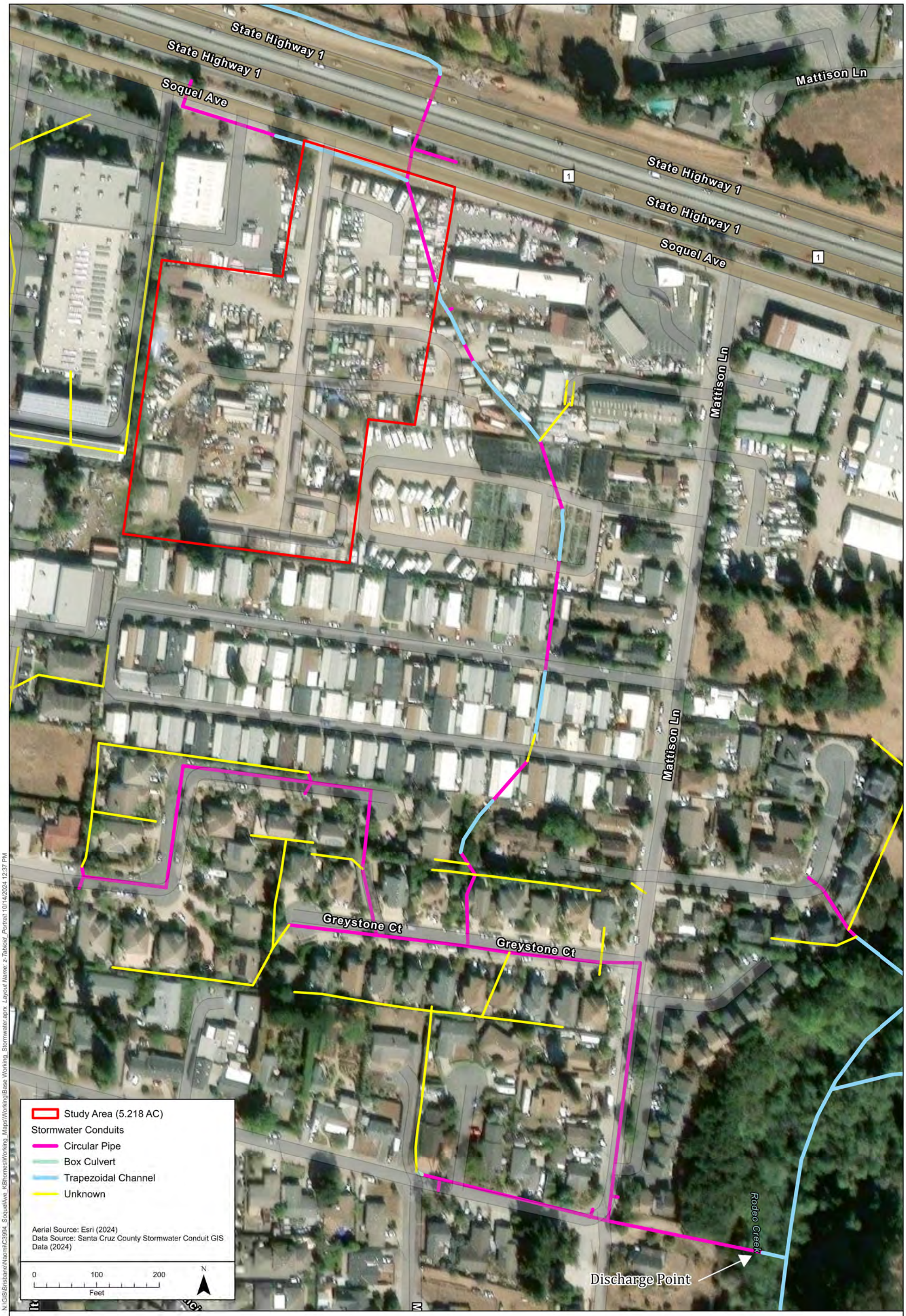
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5940 Soquel Avenue
Figure 4. Delineation Map

Exhibit D



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5940 Soquel Avenue
Figure 5. Stormwater Map

Exhibit D

Appendix B. Wetland Determination Data Forms

Exhibit D

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-1
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): concave Slope (%):
Subregion (LRR): LRR C Lat: 36.9825050 Long: -121.9762510 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
Are Vegetation X, Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No
Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No
Hydric Soil Present? Yes No X
Wetland Hydrology Present? Yes No X

Is the Sampled Area within a Wetland? **Yes** **No** X

Remarks:
Vegetation appears to have been weed wacked.

VEGETATION – Use scientific names of plants.

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size:)			
1.			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size:)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 1 m)			
1. *Lolium perenne*	80	Yes	FAC
2. *Rubus armeniacus*	20	No	FAC
3. *Lactuca serriola*	2	No	FACU
4.			
5.			
6.			
7.			
8.			
	102 =Total Cover		
Woody Vine Stratum (Plot size:)			
1.			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum % Cover of Biotic Crust

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:
X Dominance Test is >50%
Prevalence Index is ≤3.0[1]
Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No**

Remarks:
Grass composition difficult to determine with certainty due to weed wacking.

Exhibit D

SOIL

Sampling Point: SP-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-11	10YR 2/1	99	7.5YR 4/4	1	C	M	Loamy/Clayey	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Exhibit D

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-2
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): concave Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9826079 Long: -121.9773589 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No ____
Hydric Soil Present? Yes X No ____
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? **Yes** X **No** ____

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____	=Total Cover	
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____	=Total Cover	
Herb Stratum (Plot size: 1 m)			
1. *Polypogon viridis*	50	Yes	FACW
2. *Rubus armeniacus*	20	No	FAC
3. *Cyperus eragrostis*	40	Yes	FACW
4. *Mentha pulegium*	10	No	OBL
5.			
6.			
7.			
8.			
	120	=Total Cover	
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____	=Total Cover	

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)

Prevalence Index = B/A = ____

Hydrophytic Vegetation Indicators:
X Dominance Test is >50%
____ Prevalence Index is ≤3.0[1]
____ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
____ Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No** ____

Remarks:

Exhibit D

SOIL

Sampling Point: SP-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-9	10YR 2/1	90	7.5YR 4/4	10	C	M	Loamy/Clayey	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- X Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

This area was ponded during an April 2024 site visit.

Exhibit D

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-3
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): convex Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9825965 Long: -121.9773732 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____ =Total Cover		
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____ =Total Cover		
Herb Stratum (Plot size: 1 m)			
1. *Hedera helix*	5	Yes	FACU
2. *Rubus armeniacus*	10	Yes	FAC
3.			
4.			
5.			
6.			
7.			
8.			
	15 =Total Cover		
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____ =Total Cover		

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 50.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	10	x 3 =	30
FACU species	5	x 4 =	20
UPL species	0	x 5 =	0
Column Totals:	15 (A)		50 (B)

Prevalence Index = B/A = 3.33

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%
___ Prevalence Index is ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:

Exhibit D

SOIL

Sampling Point: SP-3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-10	10YR 2/2	100					Loamy/Clayey	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

This area was ponded during an April 2024 site visit.

Exhibit D

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-4
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): concave Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9825673 Long: -121.9768776 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____ =Total Cover		
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____ =Total Cover		
Herb Stratum (Plot size: 1 m)			
1. *Lolium perenne*	60	Yes	FAC
2. *Cyperus eragrostis*	15	No	FACW
3. *Lonicera japonica*	15	No	FACU
4.			
5.			
6.			
7.			
8.			
	90 =Total Cover		
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____ =Total Cover		

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)
Prevalence Index = B/A = ____	

Hydrophytic Vegetation Indicators:
X Dominance Test is >50%
____ Prevalence Index is ≤3.0[1]
____ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
____ Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:

Exhibit D

SOIL

Sampling Point: SP-4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-12	10YR 2/1	99	7.5YR 4/4	1	C	M	Loamy/Clayey	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

This area was ponded during an April 2024 site visit.

Exhibit D

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-5
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): concave Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9837067 Long: -121.9757287 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No ____
Hydric Soil Present? Yes X No ____
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? **Yes** X **No** ____

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____ =Total Cover		
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____ =Total Cover		
Herb Stratum (Plot size: 1 m)			
1. *Lolium perenne*	60	Yes	FAC
2. *Cyperus eragrostis*	15	No	FACW
3. *Mentha pulegium*	15	No	OBL
4.			
5.			
6.			
7.			
8.			
	90 =Total Cover		
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____ =Total Cover		

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)

Prevalence Index = B/A = ____

Hydrophytic Vegetation Indicators:

X Dominance Test is >50%
____ Prevalence Index is ≤3.0[1]
____ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No** ____

Remarks:

Exhibit D

SOIL

Sampling Point: SP-5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-12	10YR 4/2	98	10YR 4/6	2	C	M	Sandy	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- X Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- X Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Exhibit D

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-6
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): convex Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9837126 Long: -121.9757164 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____ =Total Cover		
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____ =Total Cover		
Herb Stratum (Plot size: 1 m)			
1. *Avena barbata*	30	Yes	UPL
2. *Verbena bonariensis*	40	Yes	FACU
3. *Cynodon dactylon*	15	No	FACU
4.			
5.			
6.			
7.			
8.			
	85 =Total Cover		
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____ =Total Cover		

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	55	x 4 =	220
UPL species	30	x 5 =	150
Column Totals:	85 (A)		370 (B)
Prevalence Index = B/A =			4.35

Hydrophytic Vegetation Indicators:
___ Dominance Test is >50%
___ Prevalence Index is ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:

Exhibit D

SOIL

Sampling Point: SP-6

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-1	10YR 2/2	100					Loamy/Clayey	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

This area was ponded during an April 2024 site visit.

Exhibit D

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-7
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): concave Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9831332 Long: -121.9760169 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____	=Total Cover	
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____	=Total Cover	
Herb Stratum (Plot size: 1 m)			
1. *Lolium perenne*	80	Yes	FAC
2. *Rubus armeniacus*	5	No	FACU
3. *Cyperus eragrostis*	2	No	FACW
4.			
5.			
6.			
7.			
8.			
	87	=Total Cover	
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____	=Total Cover	

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)

Prevalence Index = B/A = ____

Hydrophytic Vegetation Indicators:
X Dominance Test is >50%
___ Prevalence Index is ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:

Exhibit D

SOIL

Sampling Point: SP-7

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-12	10YR 2/1	100					Loamy/Clayey	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

This area was ponded during an April 2024 site visit.

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-8
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): concave Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9842809 Long: -121.9764301 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No ____
Hydric Soil Present? Yes X No ____
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? **Yes** X **No** ____

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____	=Total Cover	
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____	=Total Cover	
Herb Stratum (Plot size: 1 m)			
1. *Cyperus eragrostis*	80	Yes	FACW
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	80	=Total Cover	
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____	=Total Cover	

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)

Prevalence Index = B/A = ____

Hydrophytic Vegetation Indicators:

X Dominance Test is >50%
____ Prevalence Index is ≤3.0[1]
____ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No** ____

Remarks:

Exhibit D

SOIL

Sampling Point: SP-8

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-12	10YR 2/1	95	10YR 4/6	5	C	M	Loamy/Clayey	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- X Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

This area was ponded during an April 2024 site visit.

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-9
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): none Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9842535 Long: -121.9764347 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation____, Soil____, or Hydrology____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation____, Soil____, or Hydrology____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ____ No X
Hydric Soil Present? Yes ____ No X
Wetland Hydrology Present? Yes ____ No X

Is the Sampled Area within a Wetland? **Yes** ____ **No** X

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____ =Total Cover		
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____ =Total Cover		
Herb Stratum (Plot size: 1 m)			
1. *Bromus carinatus*	10	Yes	UPL
2. *Lolium perenne*	15	Yes	FAC
3.			
4.			
5.			
6.			
7.			
8.			
	25 =Total Cover		
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____ =Total Cover		

% Bare Ground in Herb Stratum 75 % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 50.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	15	x 3 =	45
FACU species	0	x 4 =	0
UPL species	10	x 5 =	50
Column Totals:	25 (A)		95 (B)
Prevalence Index = B/A =			3.80

Hydrophytic Vegetation Indicators:
___ Dominance Test is >50%
___ Prevalence Index is ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** ____ **No** X

Remarks:
Mostly covered in gopher mounds.

Exhibit D

SOIL

Sampling Point: SP-9

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-12	10YR 2/1	100	10YR 2/1				Loamy/Clayey	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? (includes capillary fringe) Yes ___ No ___ Depth (inches): ___

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
This area was ponded during an April 2024 site visit.

Exhibit D

Appendix C. Representative Site Photographs

Exhibit D



W-4 and southwest corner of Study Area, facing southwest (April 4, 2024)



Eastern extent of W-4, facing southeast (April 4, 2024)

Exhibit D



Ditch near SP-7, facing east (April 4, 2024)

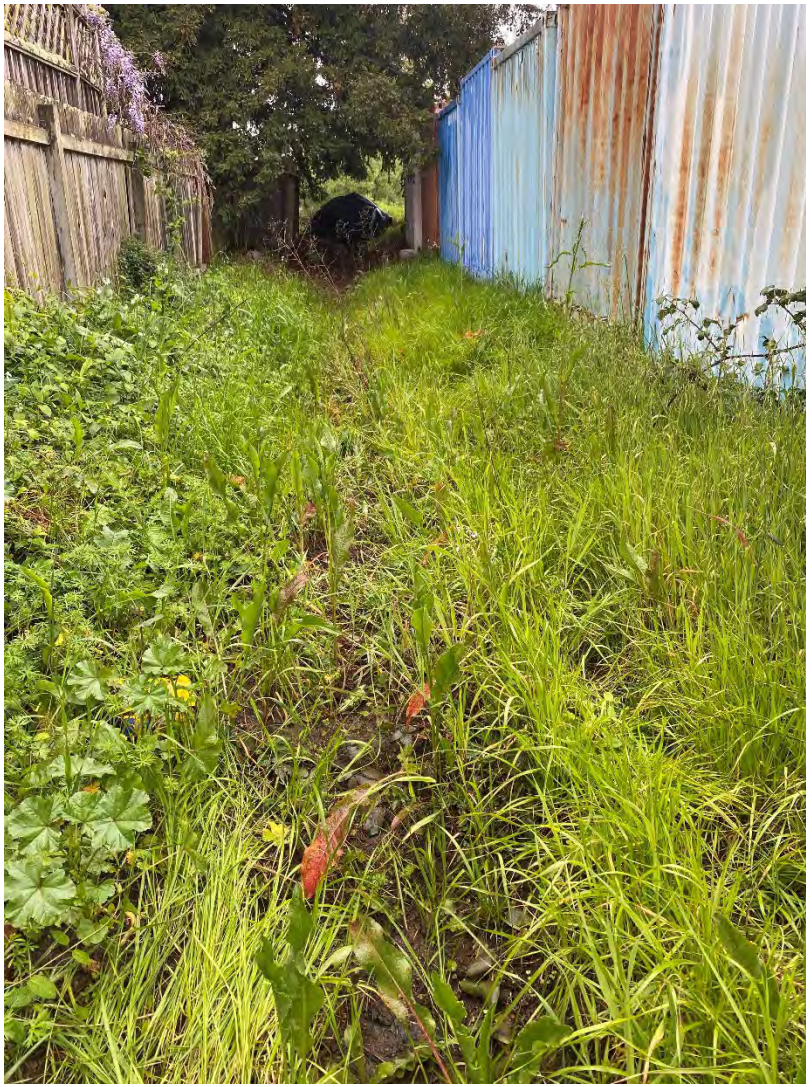


Center of Study Area, facing south (April 4, 2024)

Exhibit D



Eastern end of OW-1, facing west (April 4, 2024)



OW-1 near SP-4, facing west (April 4, 2024)

Exhibit D



W-1, facing northeast (April 4, 2024)



W-2, facing west (April 4, 2024)

Exhibit D



C-1 outlet, facing north (April 4, 2024)

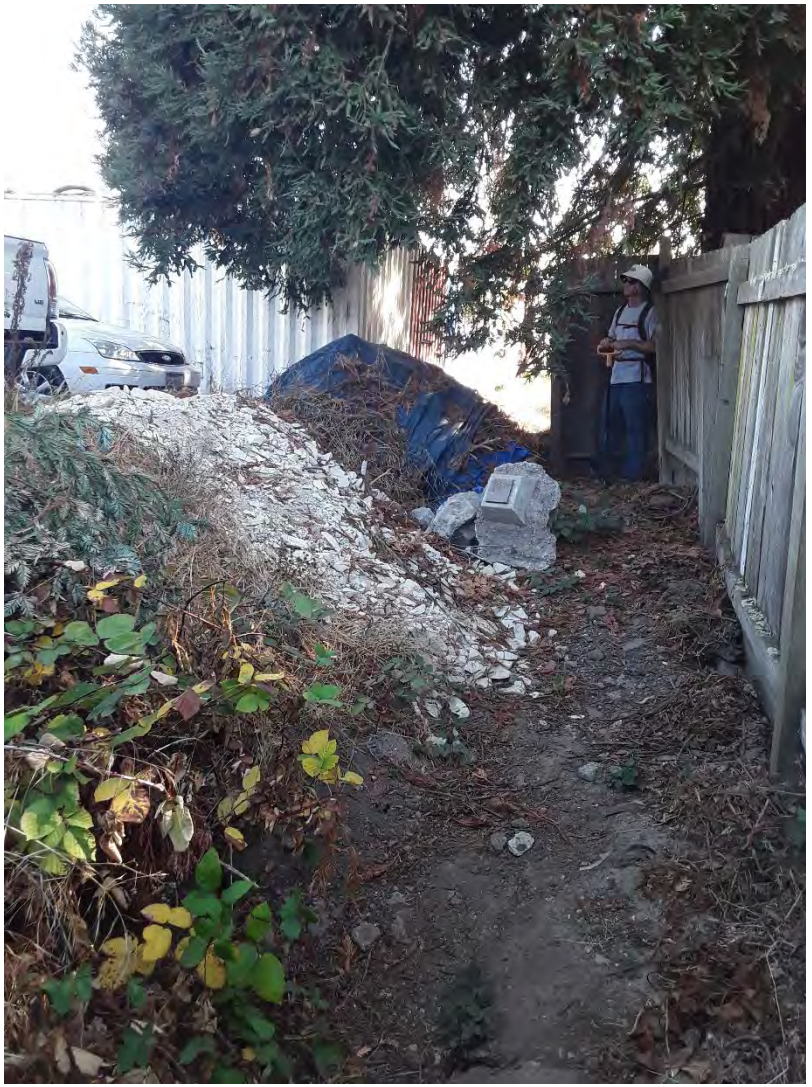


Eastern end of OW-1, facing east (October 8, 2024)

Exhibit D



Eastern end of OW-1, facing west (October 8, 2024)



Western end of OW-1, facing east (October 8, 2024)

Exhibit D



W-4, facing west (October 8, 2024)



W-3, facing northwest (October 8, 2024)

Exhibit D



W-3, facing southeast (October 8, 2024)



Ditch near SP-7, facing west (October 8, 2024)

Exhibit D



Ditch near SP-7, facing east (October 8, 2024)



W-1, facing east from west end of wetland (October 8, 2024)

Exhibit D



W-2, facing east from west end of wetland (38.7090218, -123.4478809)



East end of W-2, facing east; C-1 outlet and C-2 inlet visible (October 8, 2024)

Exhibit D



C-2 inlet; headwall disconnected from pipe (October 8, 2024)

Exhibit D

Appendix D. OMBIL Regulatory Module (ORM) Upload Sheet

Exhibit D

Waters_Name	State	Cowardin_Code	HGM_Code	Meas_Type	Amount	Units	Waters_Type	Latitude	Longitude
W-1	CALIFORNIA	PEM		Area	0.00464657	ACRE	DELIN.CONC	36.98428567	-121.97642006
W-2	CALIFORNIA	PEM		Area	0.01513606	ACRE	DELIN.CONC	36.98421344	-121.97609202
W-3	CALIFORNIA	PEM		Area	0.00223954	ACRE	DELIN.CONC	36.98371391	-121.97573259
W-4	CALIFORNIA	PEM		Area	0.01052155	ACRE	DELIN.CONC	36.98260433	-121.97731535
OW-1	CALIFORNIA	R6		Area	0.01004731	ACRE	DELIN.CONC	36.98255229	-121.97669777
C-1	CALIFORNIA	R4		Linear	11	FOOT	DELIN.CONC	36.98419570	-121.97590398
C-2	CALIFORNIA	R4		Linear	154	FOOT	DELIN.CONC	36.98395620	-121.97582885

Exhibit D

Appendix D. Resumes

Exhibit D

Sadie McGarvey



Consultant

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Ms. Sadie McGarvey has extensive experience as a field biologist and regulatory specialist, working in a variety of habitats and municipalities. She has a wide range of experience in biological fieldwork, regulatory compliance, and environmental permitting. Her professional experience includes California Environmental Quality Act (CEQA) level site assessments and reporting, due diligence reporting, regulatory compliance support for various development, reclamation, repair, transportation, and utilities projects throughout Northern California, construction compliance monitoring, vegetation and hydrology monitoring, vegetation mapping, wetland delineations and habitat assessments, and special-status species surveys and research. Ms. McGarvey assists clients with navigating environmental regulations and obtaining regulatory authorizations from the U.S. Army Corps of Engineers (USACE), state and regional Water Quality Control Boards, California Department of Fish and Wildlife (CDFW), and U.S. Fish and Wildlife Service (USFWS). She ensures projects meet permitting and construction milestones while staying in compliance with regulatory authorizations and applicable laws.

Education & Credentials

B.S., Wildlife Biology, emphasis in Wildlife Management and Conservation, Humboldt State University, Arcata, California, 2008

Continuing Education

California Rapid Assessment Method (CRAM) wetlands and riparian areas practitioner training, May 2016

California Red-Legged Frog Workshop, April 2018

California Native Plant Society Poaceae Workshop, May 2018

Professional Affiliations

Wildlife Society (Western Section and San Francisco Bay Area Chapter)

Women in Environment (President of SF Bay Area Chapter)

Permits/Approvals

U.S. Fish and Wildlife Service Recovery Permit and California Department of Fish and Wildlife Memorandum of Understanding for Research on California Tiger Salamander and California Red-Legged Frog (permit number TE-06677C-2)

Relevant Experience

NESTING BIRDS/RAPTORS

Vallejo Storm Drain Replacement Work, Vallejo, California (2023) — Conducted preconstruction surveys for **Swainson's hawk, burrowing owl**, and other nesting **birds/raptors** in conformance with CDFW-approved survey methodology. Observed regionally common raptors and songbirds (e.g., osprey, American crow, turkey vulture, common raven, white-crowned sparrow, and western gull).

Various Residential Development Projects in East Contra Costa County (2010 – 2015) — Conducted habitat assessments, presence/absence and preconstruction surveys, and biological construction monitoring for **burrowing owls** at several proposed and active development sites throughout East Contra Costa County.

Trilogy at the Vineyards, Brentwood, California (2019 - 2022) — Conducted presence/absence, preconstruction surveys, and biological construction monitoring for **burrowing owls** and **Swainson's hawk** in advance of trail construction and utility installation. Observed Swainson's hawk as well as regionally common raptors and songbirds (e.g., red-tailed hawk, American crow, black phoebe, western meadowlark, and downy woodpecker).

Lagoon Valley Residential Development, Vacaville, California (2013 – 2015) — Conducted presence/absence and preconstruction surveys for **Swainson's hawk, burrowing owl**, and surveys for nesting **birds/raptors** in conformance with CDFW-approved survey methodology.

0 Seely Avenue Residential Development Project, San Jose, California (2022 – 2024) — Conducted habitat assessment and presence/absence survey for **burrowing owl** and general reconnaissance survey for **birds/raptors**. Observed regionally common raptors and songbirds (e.g.,

red-tailed hawk, red-shouldered hawk, American crow, California towhee, western bluebird, and yellow-rumped warbler).

Woolsey Riparian Restoration Project, Windsor, California (2024) — Conducted general reconnaissance survey and preconstruction survey for nesting **birds/raptors**. Observed regionally common raptors and songbirds (e.g., red-tailed hawk, turkey vulture, American crow, California towhee, and acorn woodpecker).

Grayson Road Project, Pleasant Hill, California (2022 – 2025) — Conducted general reconnaissance surveys for **birds/raptors** and preconstruction surveys for nesting birds/raptors in conformance with CDFW-approved survey methodology. Observed regionally common raptors and songbirds (e.g., red-tailed hawk, red-shouldered hawk, American robin, California towhee, and acorn woodpecker).

Various Projects within the Rossmoor Active Senior Living Community, Walnut Creek, California (2017 – ongoing) — Conducted general reconnaissance surveys for **birds/raptors** and preconstruction surveys for nesting birds/raptors. Observed regionally common raptors and songbirds (e.g., red-tailed hawk, red-shouldered hawk, turkey vulture, California towhee, acorn woodpecker, and Anna's hummingbird).

Leisure Town Residential Project, Vacaville, California (2024) — Conducted habitat assessment and impact analysis for **burrowing owls** and **Swainson's hawks**.

Hecker Pass North Residential Subdivision Project, Gilroy, California (2021 – 2024) — Conducted general reconnaissance surveys for birds/raptors and preconstruction surveys for nesting **birds/raptors** in accordance with USFWS and CDFW regulations and the Santa Clara Valley Habitat Plan. Conducted biological construction monitoring to ensure protection of active red-tailed hawk and acorn woodpecker nests. Observed regionally common raptors and songbirds (e.g., red-tailed hawk, red-shouldered hawk, acorn woodpecker, wild turkey, and western scrub jay).

Proposed APC Ranch Conservation Bank, Paicines, California (2022 – 2024) — Conducted presence/absence surveys for **Swainson's hawks, burrowing owls,** and **birds/raptors** to support conservation bank entitlement. Observed California condors in addition to regionally common raptors and songbirds (e.g., red-tailed hawk, red-shouldered hawk, western scrub jay, downy woodpecker, and western bluebird).

Proposed Artessa Winery, Gualala, California (2013 – 2015) — Conducted protocol presence/absence surveys for **northern spotted owl**, foothill yellow-legged frog, and yellow warbler, and general reconnaissance surveys for **birds/raptors**.

SPECIAL-STATUS AMPHIBIANS

Proposed APC Ranch Conservation Bank, Paicines, California (2021 – ongoing) — Conducted protocol dipnet, seine, and eDNA surveys for California tiger salamander and California red-legged frog to support conservation bank entitlement. Assist with capture, tail clipping, and release of CTS larvae (and western spadefoot toad larvae) to aid in genetic sampling effort by UCLA's Shaffer Lab.

Doolan Mitigation Site, Alameda County, California (2023 – ongoing) — Conducted protocol visual-encounter surveys, as well as dipnet and seine surveys for CTS and CRLF. Conduct relocations of CTS and CRLF to site.

Sonoma County Conservation Banks, Sonoma County, California (2013/2014, 2024 – ongoing) — Conducted protocol drift fence surveys (2013, 2014), nocturnal visual encounter surveys (2024),

and dipnet and seine surveys (ongoing) for CTS to support conservation bank entitlement at various properties.

Residential Development Project, Alameda County, California (2023 – ongoing) — Conducted protocol visual-encounter surveys and conducted relocations for CTS and CRLF to avoid project-related impacts to state and federally listed species.

Volunteer CTS Road Rescues, Sonoma County, California (2017 – ongoing) — Conducted nighttime driving surveys of roads in Sonoma County known to be hotspots for CTS road mortalities during the fall migration. Imperiled individuals are relocated to the opposite side of the road in the direction they were originally travelling.

PLANNING AND PERMITTING

Port of San Francisco Sediment Remediation Project (Piers 37–43½), San Francisco, California — Responsibilities include preparing the CEQA assessment for biological resources potentially impacted by the project. Conducted required natural resource surveys to identify biological resources present within the project site and conducted required analyses and reporting related to local, state, and federal jurisdiction over the project site and significance of project-related impacts to biological resources. Prepared a project-specific biological resource analysis (BRA) to analyze potential for significant impacts to biological resources that may result from the remediation project. Coordinate with client to establish project elements and variables that would result in impacts. Conducted biological construction monitoring for special-status marine mammals.

Shell Pond Remediation Project, Contra Costa County, California — On behalf of client, managed a 73-acre remediation project in Contra Costa County from 2014 to present. Tasks included coordination with multiple resource agencies (USACE, Regional Water Quality Control Board [Water Board], CDFW, Bay Conservation and Development Commission, and USFWS) to authorize proposed project components. Conducted wetland delineations, rare plant surveys, biological construction monitoring, and ongoing annual monitoring to ensure success of project.

Calle La Cruz Pipeline Replacement Project, Carmel, California — Prepared CEQA biological assessment for the installation of wastewater pipelines under the Carmel River Lagoon using horizontal directional drilling. Conducted required natural resource surveys, including a wetland delineation, to identify biological resources present within the project site and conducted required analyses and reporting related to local, state, and federal jurisdiction over the project site and significance of project-related impacts to biological resources. Prepared a project-specific BRA to analyze potential for significant impacts to biological resources that may result from the pipeline replacement project.

Pleasanton Ridge Regional Park Access Project, Alameda County, California — On behalf of East Bay Regional Park District, performed wetland delineations. Prepared a biological assessment of impacts to federally listed species for consultation between USACE and USFWS. Developed mitigation strategies and prepared a mitigation and monitoring plan for proposed onsite mitigation. Prepared documents for project entitlement including applications for USACE (nationwide permit), Water Board (clean water certification), and CDFW (streambed alteration agreement and incidental take permit). Worked with project team to revise project plans and impacts to ensure agency approval. Manage permit compliance including biologist construction

monitoring, surveys, and reporting (including the preparation of a special-status species relocation plan and invasive plant management plan).

Presentations / Posters

S. McGarvey, P. Gill, Y. Cashell. 2025. Developing a New Compensatory Mitigation Crediting Process: SB790 and a Wildlife Connectivity Pilot Project. The Western Section of the Wildlife Society Annual Meeting, Visalia, California. February 5, 2025.

S. McGarvey. 2025. Mitigation Development Impacts: Creating Protected Breeding Habitat for California Red-legged Frog and California Tiger Salamander. The Western Section of the Wildlife Society Annual Meeting, Visalia, California. February 6, 2025.

Wollenberg, J., D. Doolittle, E. Saade, and S. McGarvey. 2024. Applications of eDNA monitoring for site assessment, management, and regulatory compliance. International Workshop on Environmental Geonomics, St. John, Newfoundland. June 13–14.



Naomi A. Schowalter

Consultant

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Ms. Naomi Schowalter has 11 years of experience in the environmental regulatory field. Prior to entering private consulting in 2021, she served as a natural resource specialist with the Bureau of Land Management, Bakersfield Field Office, and as a regulatory project manager with the U.S. Army Corps of Engineers (USACE), San Francisco District. She specializes in completion of wetland delineation reports and other documentation required to obtain state and federal permits for impacts to aquatic resources and special status species. Ms. Schowalter is a detail-oriented project manager adept at identifying streamlining opportunities for efficient environmental permitting, project planning, preparation of permit applications, and interaction with local, state, and federal agencies.

Education & Credentials

M.S., Rangeland Management, University of California Berkeley, Berkeley, California, 2011

B.S., Conservation and Resource Studies, University of California Berkeley, Berkeley, California, 2008

Continuing Education

USACE, Wetland Delineation, Sacramento, California, 2016

USACE, Wetland Ecology, Olympia, Washington, 2016

USACE, Introductory Regulatory, Sacramento, California, 2017

USACE, Regulatory Scope, Cultural Resources, and ESA, Sacramento, California, 2018

USACE, Regulatory Enforcement, Overland Park, Kansas, 2019

USACE, Advance Regulation and NEPA, Kansas City, Missouri, 2020

California Rapid Assessment Method Training, Pt. Richmond, California, 2016

Aquatic Resources Mitigation, Workshop, Camp Pendleton, California, 2017

Relevant Experience

WETLANDS

Sonoma 1 Install Centerline Rumble Strip, Sonoma County, California — For a project involving improvements to almost 59 miles of State Route 1 in Sonoma County, conducted fieldwork to identify wetlands and other aquatic resources in the project area and wrote an aquatic resources delineation report. Used a Juniper Systems Geode global navigation satellite system (GNSS) with sub-meter accuracy to map aquatic resources in the field. Imported GNSS data to ArcGIS Pro software to create figures for the report and analyze and display GIS data.

18545 Monterey Road, Morgan Hill, California — For a project involving a 4-acre mixed-use development, independently conducted fieldwork to identify wetlands and other aquatic resources in the project area, wrote an aquatic resources delineation report, and obtained an approved jurisdictional determination from USACE. Used a Juniper Systems Geode GNSS with sub-meter accuracy to map aquatic resources in the field. Used ArcGIS Pro software to create figures for the report and display and analyze GIS data.

State Route 12 Major Pavement Rehabilitation Project, Solano County, California — For a project involving repairs and improvements to 6.4 miles of highway, conducted fieldwork to identify wetlands and other aquatic resources in the project area, wrote an aquatic resources delineation report, and created an addendum to the report when the project footprint changed. Used a Juniper Systems Geode GNSS with sub-meter accuracy to map aquatic resources in the field. Used ArcGIS Pro software to create figures for the report and display and analyze GIS data.

5940 Soquel Avenue, Santa Cruz County, California — For a project involving a 5-acre residential development, conducted fieldwork to identify wetlands and other aquatic resources in the project area and wrote an aquatic resources delineation report. Used a Juniper Systems Geode GNSS with sub-

Exhibit D

Achievements & Awards

2020 San Francisco USACE, Regulatory Division Employee of the Year

meter accuracy to map aquatic resources in the field. Used ArcGIS Pro software to create figures for the report and display and analyze GIS data.

Marin 1 Drainage System Restoration Project, Marin County, California — For a project involving the rehabilitation of 50 culverts along 32 miles of highway, identified portions of the project footprint missing from the existing aquatic resource delineation report, conducted fieldwork to identify previously unmapped wetlands and other aquatic resources, and wrote an aquatic resources delineation report addendum. Used a Juniper Systems Geode GNSS with sub-meter accuracy to map aquatic resources in the field. Used ArcGIS Pro software to create figures for the report and display and analyze GIS data.

REGULATORY COMPLIANCE

Lakeville-Ignacio IG01/004 Emergency Repairs, Sonoma County, California — For a project involving emergency repairs to an electrical transmission tower in tidal marsh adjacent to the Petaluma River, obtained emergency authorizations from USACE, the Regional Water Quality Control Board (Water Board), and the Bay Conservation and Development Commission (BCDC) and then wrote the required post-activity report documenting compliance with permit requirements.

Sienna Solar and Storage Project, San Bernadino County, California — For a project involving an 1,855-acre utility-scale solar generation and energy storage facility, prepared a memorandum identifying regulatory constraints.

5940 Soquel Avenue, Santa Cruz County, California — For a project involving a 5-acre residential development, prepared a report identifying biological constraints to development.

Buttonbush Solar Energy Project, Kern County, California — For a project involving a 14,386-acre solar development project, prepared a memorandum identifying regulatory constraints.

Big Rock 2 Cluster Solar and Storage Project, Imperial County, California — For a project involving a 1,849-acre solar development project, prepared a memorandum identifying regulatory constraints.

ECOLOGICAL RESTORATION

State Route 1 and State Route 84 Structures and Scour Mitigation Project, San Mateo County, California — For a project involving repairs to bridges along two highways, identified an offsite mitigation location on Midpeninsula Regional Open Space District (Midpen) lands, designed a mitigation project, drafted a mitigation and monitoring plan for onsite and offsite riparian restoration and enhancement activities, identified a permitting strategy for the mitigation project, and facilitated the development of a cooperative agreement between the California Department of Transportation and Midpen.

State Route 84 Storm Damage Rehabilitation Project, San Mateo County, California — For a project involving the repair of an eroded creek bank along a highway shoulder, drafted a mitigation and monitoring plan for onsite aquatic resource restoration and enhancement activities.

PLANNING AND PERMITTING

Boardwalk Access Program, San Francisco Bay Area, California — For a project involving the replacement of existing electrical tower access boardwalks and installation of new boardwalks in tidal and nontidal aquatic resources across seven San Francisco Bay Area counties, wrote the USACE Clean Water Act (CWA) Section 404 and Rivers and Harbors Act (RHA) Section 10 nationwide permit preconstruction notification, U.S. Fish and Wildlife Service (USFWS) biological assessment, National

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Marine Fisheries Service (NMFS) biological assessment, Magnuson-Steven Fishery Conservation and Management Act essential fish habitat assessment, U.S. Coast Guard advance approval concurrence request, Water Board application for CWA Section 401 water quality certification and Porter-Cologne Act waste discharge requirements, BCDC applications for administrative permits and a programmatic permit notification, and California Department of Fish and Wildlife (CDFW) notifications of streambed alterations. Also, supported consultation with the State Historic Preservation Officer. Used ArcGIS Pro software to create figures and display and analyze GIS data.

Potentia-Viridi Battery Energy Storage System Project, Alameda County, California — For a project involving the installation of a 400-MW battery energy storage system, drafted an application for a Water Board CWA Section 401 water quality certification and Porter-Cologne Act waste discharge requirements. Used ArcGIS Pro software to create figures and display and analyze GIS data.

State Route 1 and State Route 84 Structures and Scour Mitigation Project, San Mateo County, California — For a project involving repairs to bridges along two highways, corrected another consultant's mapping of regulated aquatic features and drafted applications for a USACE Regional General Permit and CDFW Lake or Streambed Alteration Agreements. Used ArcGIS Pro software to create figures and display and analyze GIS data.

18545 Monterey Road, Morgan Hill, California — For a project involving a 4-acre mixed-use development, drafted applications for a USACE Regional General Permit, coverage under the Santa Clara Valley Habitat Plan (a habitat conservation plan and natural community conservation plan), credits under the Santa Clara Valey Habitat Plan In-Lieu Fee Program, and a Water Board CWA Section 401 water quality certification and Porter-Cologne Act waste discharge requirements. Prepared an alternatives analysis in accordance with Water Board requirements. Used ArcGIS Pro software to create figures and display and analyze GIS data.

State Route 84 Storm Damage Rehabilitation Project, San Mateo County, California — For a project involving the repair of an eroded creek bank along a highway shoulder, corrected another consultant's mapping of regulated aquatic features and drafted applications for a USACE Regional General Permit, CDFW Lake or Streambed Alteration Agreement, and Water Board CWA Section 401 water quality certification and Porter-Cologne Act waste discharge requirements. Used ArcGIS Pro software to create figures and display and analyze GIS data.

State Route 12 Major Pavement Rehabilitation Project, Solano County, California — For a project involving repairs and improvements to 6.4 miles of highway, applied for and received coverage under a USACE Regional General Permit. Used ArcGIS Pro software to create figures and display and analyze GIS data.

Estates at Ross Ranch, Windsor, California — For a project involving a 31-lot residential development, drafted applications for a CDFW Lake or Streambed Alteration Agreement and Water Board waste discharge requirements, submitted a request for an Approved Jurisdictional Determination from USACE, and wrote an alternatives analysis in accordance with Water Board requirements. Used ArcGIS Pro software to create figures and display and analyze GIS data.

D-1537 L-137B MP 6.448 ECDA Dig Project, Arcata, California — For a project involving repairs to a buried gas pipeline, prepared applications and received authorizations under a USACE Nationwide Permit, a Water Board General Certification of the Nationwide Permit, and a California Coastal Commission Coastal Development Permit. Used ArcGIS Pro software to create figures and display and analyze GIS data.

Exhibit Integral

Dublin Fallon 580 Project, Dublin, California — For a project involving a 196-acre mixed-use development, wrote a CWA 404(b)(1) alternatives analysis. Used ArcGIS Pro software to create figures and display and analyze GIS data.

East Harbor Angled Boring Project, San Francisco, California — For a project involving the installation of nine angled borings adjacent to and under the San Francisco Bay, wrote the USACE nationwide permit pre-construction notification and the Water Board certification of the 2017 nationwide permits notice of intent. Received USACE nationwide permit verification letter and Water Board notice of applicability in less than 2 months.

Pittsburg-San Mateo Tower Maintenance Project, Alameda and San Mateo Counties, California — For a project involving the repair of electrical transmission towers in the San Francisco Bay, wrote the biological assessment, CWA Section 404 and RHA Section 10 permit application, and CWA Section 401 and Porter-Cologne Act permit application. Used ArcGIS Pro software to create figures and display and analyze GIS data.

Digital 299 Broadband Project, Humboldt, Trinity, and Shasta Counties, California — For a project involving the installation of a new telecommunications cable spanning three counties, updated the delineation report and waters of the U.S./state impact assessment following changes to the project alignment and proposed construction methods. Managed the geospatial data for the project using ArcGIS Pro and developed a riparian data set. Wrote the CWA 404(b)(1) alternatives analysis for the project. Provided the project team with regulatory strategy support.

Ignacio Mare Island Emergency Tower Replacement, Solano/Napa Counties, California — As a regulatory project manager for USACE, San Francisco District, coordinated an emergency individual permit for the replacement of three deteriorated electric transmission towers located in protected tidal marshlands west of the lower Napa River. This permitting effort required emergency consultations with USFWS, NMFS, and state historic preservation officer, as well as the completion of an environmental assessment, public interest review, and CWA 404(b)(1) alternatives analysis in less than a month. Coordination with multiple state and federal agencies was required to finalize the permit action and manage compliance.

Santa Clara Valley Habitat Plan In-Lieu Fee, Santa Clara County, California — As a regulatory project manager for USACE, San Francisco District, headed the interagency review team tasked with creating an in-lieu fee program that dovetails with the Santa Clara Valley Habitat Plan, a habitat conservation plan and natural community conservation plan. This effort involved coordinating agency review of documents, negotiating document changes acceptable to all agencies and the project sponsor, and working with USACE attorneys to achieve legally defensible outcomes.

City of Livermore Stream Maintenance Program, Livermore, California — As a regulatory project manager for USACE, San Francisco District, developed a regional general permit for the City of Livermore's stream maintenance program. This permit was used over multiple years to provide expedited permitting of dozens of maintenance projects involving streams and flood control facilities located throughout the city.

GIS ANALYSIS

Sonoma 1 Install Centerline Rumble Strip, Sonoma County, California — For a project involving improvements to almost 59 miles of State Route 1 in Sonoma County, conducted fieldwork to identify wetlands and other aquatic resources in the project area and wrote an aquatic resources delineation

Exhibit Integral

report. Used a Juniper Systems Geode global navigation satellite system (GNSS) with sub-meter accuracy to map aquatic resources in the field. Imported GNSS data to ArcGIS Pro software to create figures for the report and analyze and display GIS data.

State Route 84 Storm Damage Rehabilitation Project, San Mateo County, California — For a project involving the repair of an eroded creek bank along a highway shoulder, imported CAD (.dwg) files to ArcGIS Pro to identify and map project impacts to San Gregorio Creek. Geospatial impact files generated in ArcGIS Pro were shared with other consultants to expedite the preparation of biological assessments.

Exhibit D Integral



Shea Grady

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Mr. Shea Grady has a research background rooted in assessing anthropogenic impact on coastal and terrestrial habitats. He has extensive fieldwork experience with an emphasis on coastal and estuarine habitats. Mr. Grady has received training on the California Environmental Quality Act (CEQA) and NEPA from the Association of Environmental Professionals and on using the California Natural Diversity Database (CNDDB) through the California Department of Fish and Wildlife (CDFW). Moreover, he has additional training and work experience in youth education, science communication, and data science.

Education & Credentials

M.S., Interdisciplinary Marine & Estuarine Science, San Francisco State University, San Francisco, California, 2023

B.S., Biology, University of North Carolina Wilmington, Wilmington, North Carolina, 2020

Continuing Education

National Estuarine Research Reserve, 40-Hour Wetland Delineation Training (2023)

OSHA 40-hour HAZWOPER Certification (2023)

First Aid/CPR/AED certification through American Red Cross (2023)

Professional Affiliations

Member of the Association of Environmental Professionals

Relevant Experience

PLANNING AND PERMITTING

Ala Wai Boat Harbor, Oahu, Hawaii — As part of the permitting process for dock repairs needed to improve the navigational and landing capabilities of the Ala Wai Boat Harbor in Oahu, Hawaii, drafted a biological evaluation to document existing biological resources, potential threats to the surrounding resources, best management practices, and avoidance and minimization measures for project construction. The Ala Wai Harbor is notably an area of cultural and biological significance, and therefore considerable planning is necessary to avoid impact to biological resources.

Lion's Park Living Shoreline, American Samoa — As part of the permitting process to a construct a living shoreline on the northwest corner of the Pala Lagoon, drafted a biological evaluation to document existing biological resources and potential threats to the surrounding resources of the lagoon. Pala Lagoon has been heavily subjected to sea level rise, and a living shoreline is being reengineered to counter the effects on communities that utilize the lagoon shoreline. The biological evaluation also included best management practices and avoidance and minimization measures needed for construction of the living shoreline to begin. Construction will involve installing dynamic revetments and mangrove islands. After permit acquisition, aided in design planning for proper mangrove planting and drafted a mangrove planting plan for this project.

Doolan North Riparian Mitigation, Dublin, California — Performed monthly hydrology and annual plant health monitoring for an active riparian restoration project in Dublin, California. Documented the presence of wildlife and hydrophytic plant establishment throughout the year during site visits. Currently supporting relocation efforts of California tiger salamander and California red-legged frog to this riparian area.

Croak Road Monitoring, Dublin, California — Drafts the monthly and annual monitoring reports to USFWS and CDFW for these wildlife monitoring efforts. Moreover, supports and conducts monitoring and relocation efforts of California tiger salamander and California red-legged frog for this project.

Exhibit D Integral

Seely Road Survey, San Jose, California — Supported an extensive nesting bird survey as due diligence for the anticipated purchase of this property. This property was a poorly maintained, overgrown farm with ample structure and trees for nesting birds.

Culvert Repair, Hayward, California — Monitored the emergency repair of a culvert that directs water into the San Lorenzo Creek, near the intersection of A Street and 4th Street. Ensured that contaminants and refuse, such as concrete and litter, were properly handled and disposed of during installation of a new culvert pipe and the laying and grouting of riprap around the pipe. Also, briefed repair teams on the importance of proper concrete handling and the environmental consequences of concrete spill.

Nesting Bird Protection and Site Demolition, Petaluma, California — Performed nesting bird surveys prior to the demolition of preexisting infrastructure at the Oyster Cove Mixed-Use Neighborhood project in Petaluma, California. Two nesting bird surveys were conducted, with the second one spotting an active bird nest on a building targeted for demolition. Provided insight on how to proceed with scheduled demolition without adding unnecessary danger to the bird nest. Furthermore, enforced a designated buffer zone for the bird nest until no signs of nest activity were observed and the nest was confirmed to be vacated.

Eucalyptus Removal and Habitat Restoration Monitoring, Windsor, California — Monitored the removal of eucalyptus throughout a restoration site within a vineyard in Windsor, California.

Oyster Cove Mixed-Use Neighborhood, Petaluma, California — Identified the extent of jurisdictional waters and the project's potential to impact jurisdictional waters by completing a baseline delineation of waters of the United States and state (wetlands and other waters), using the U.S. Army Corps of Engineers (USACE) routine methodology and the Arid West Supplement. The Oyster Cove Mixed-Use Neighborhood project is a development plan aimed towards providing housing to multiple different income groups and public recreation space to the City of Petaluma. For this project, drafted the 401/404 permits, biological assessments, and the 1600 Streambed Alteration Agreement needed to begin this project. Also took on project managerial roles such as devising the scope and schedule of work for the client, along with arranging for preconstruction bat and bird surveying for the client. Performed multiple nesting bird surveys.

B Street Culvert Repairs, Hayward, California — Served as a biological monitor for the emergency repairs of a collapsed culvert in Hayward, California. Upon monitoring, identified active presence of salmonids within the adjacent creek and took necessary measures to ensure no negative effects were placed on the fish. Also conducts the annual mitigation monitoring required for this project.

Miller Creek Annual Monitoring, Marin County, California — Conducts site visits to measure the presence of invasive species and establishment of hydroseeded native plants. Assesses health of planted native species and hydrology of a mitigation site located adjacent to Miller Creek in Marin County.

Irwin Creek Annual Monitoring, Marin County, California — Conducts site visits to measure the presence of invasive species, establishment of hydroseeded native plants, and hydrology of a mitigation site located adjacent to Miller Creek in Marin County.

Five Canyons Annual Monitoring, Alameda County, California — Conducts site visits to measure the presence of invasive species and establishment of hydroseeded native plants. Assesses health of planted native species and hydrology of a mitigation site located adjacent to Miller Creek in Marin County.

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Highway 1 Wetland Delineations, Sonoma, California — Completed a baseline delineation of waters of the United States and waters of the state (wetlands and other waters), using USACE routine methodology and the Arid West Supplement, to identify potential jurisdictional waters along Highway 1 of Sonoma County.

Tesla Road, Livermore, California — Completed a baseline delineation of waters of the United States and waters of the state (wetlands and other waters), using USACE routine methodology and the Western Mountains, Valleys, and Coasts Supplement, to identify potential jurisdictional waters along a dried creek bed. Moreover, conducted additional field surveys for nesting birds and to build a general understanding of the area needed to complete a biological resources assessment.

Meder Street Wetland Delineation, Santa Cruz, California — Completed a baseline delineation of waters of the United States and waters of the state (wetlands and other waters), using USACE routine methodology and the Western Mountains, Valleys, and Coasts Supplement, to identify potential jurisdictional waters throughout the project site. Moreover, performed nesting bird surveys for this site.

CLIMATE CHANGE

Organic and Total Alkalinity, San Francisco Estuary, California — Collected and titrated water samples from multiple habitats in the north San Francisco Bay estuary for measures of total and organic alkalinity. The organic contributors to total alkalinity are commonly assumed negligible in total alkalinity measures. Recent research reveals organic alkalinity is noticeable in estuaries, and when assumed absent, affects estuarine carbonate chemistry calculations when total alkalinity is used. By titrating for organic alkalinity, this research provided more comprehensive insight on spatial and temporal estuarine alkalinity and carbonate chemistry trends. This insight is needed for more accurate assessments of climate change, such as acidification, in estuaries.

MARINE SCIENCE

Water Quality Monitoring, Hudson River, New York — Worked with small vessel crew to collect water samples upstream and downstream of vessels installing fiber-optic cable from Montreal, Canada, to New York City, New York, in the Hudson River.

PCB Sampling and Sonde Maintenance, San Lorenzo Bay, California — Supported the installation and continued maintenance of sondes throughout San Lorenzo Bay to collect data on sediment transport, general water quality parameters, and concentrations of PCBs. These efforts include point sampling of water quality and towing vessels for acoustic Doppler current profiler sampling.

ECOLOGICAL RESTORATION

Sediment Investigation, California — Worked with teams to evaluate and restore *Zostera marina* (eelgrass) sites in various areas throughout the San Francisco Bay estuary. Assessments included sampling for zooplankton and megafauna at restoration sites to determine levels of species diversity and richness before and after site restoration.

Oakland-Alameda Estuary Bridge Project, California — This project aims to connect Oakland and Alameda via a pedestrian bridge to promote environmentally conscious and affordable transportation and to connect impacted communities. As Project Manager, facilitates biological resource assessment for the project. Responsible for assembling inter-agency meetings, performing background research on biological resources in the area, and ensuring concerns from local and state-level governments are

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communicated properly to clients. Used tools, including the CNDDB and California Native Plant Society Rare Plant Inventory, for biological assessment of the project area.

Pier 39 Remediation Project, California — The Pier 39 Remediation project aims to remediate contaminated soil around the Pier 39 (San Francisco) area by both capping soil and transporting soil to be decontaminated. Working with a team to determine an ideal and available site to receive contaminated soils. This includes analyzing historical records and biological resource reports for the presence of and work windows for special status species at potential sites and drafting memos for clients to update on project progress and concerns.

Shell Pond Remediation, California — The Shell Pond site is currently being remediated for contaminated estuarine soil. The present mode of remediation is through phytoremediation. Worked with teams to perform rare plant surveys at the site for Soft Bird's Beak (*Chloropyron molle*) and drafted memos to update the client on biological resources. Most recently, served as a biological monitor for salt marsh harvest mouse during the installation of pumps for flood control.

HABITAT ASSESSMENT

Doolan North Riparian Mitigation, Dublin, California — Performed monthly hydrology and annual plant health monitoring for an active riparian restoration project in Dublin, California. Documented the presence of wildlife and hydrophytic plant establishment throughout the year during site visits. Currently supporting relocation efforts of California tiger salamander and California red-legged frog to this riparian area.

Croak Road Monitoring, Dublin, California — Drafts the monthly and annual monitoring reports to USFWS and CDFW for these wildlife monitoring efforts. Moreover, supports and conducts monitoring and relocation efforts of California tiger salamander and California red-legged frog for this project.

Seely Road Survey, San Jose, California — Supported an extensive nesting bird survey as due diligence for the anticipated purchase of this property. This property was a poorly maintained, overgrown farm with ample structure and trees for nesting birds.

Eucalyptus Removal and Habitat Restoration Monitoring, Windsor, California — Monitored the removal of eucalyptus throughout a restoration site within a vineyard in Windsor, California.

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site.

WILDLIFE MONITORING

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Seely Road Survey, San Jose, California — Supported an extensive nesting bird survey as due diligence for the anticipated purchase of this property. This property was a poorly maintained, overgrown farm with ample structure and trees for nesting birds.

Culvert Repair, Hayward, California — Monitored the emergency repair of a culvert that directs water into the San Lorenzo Creek, near the intersection of A Street and 4th Street. Ensured that contaminants and refuse, such as concrete and litter, were properly handled and disposed of during installation of a new culvert pipe and the laying and grouting of riprap around the pipe. Also, briefed repair teams on the importance of proper concrete handling and the environmental consequences of concrete spill.

Nesting Bird Protection and Site Demolition, Petaluma, California — Performed nesting bird surveys prior to the demolition of preexisting infrastructure at the Oyster Cove Mixed-Use Neighborhood project in Petaluma, California. Two nesting bird surveys were conducted, with the second one spotting an active bird nest on a building targeted for demolition. Provided insight on how to proceed with scheduled demolition without adding unnecessary danger to the bird nest. Furthermore, enforced a designated buffer zone for the bird nest until no signs of nest activity were observed and the nest was confirmed to be vacated.

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PUBLIC INFRASTRUCTURE

Culvert Repair, Hayward, California — Monitored the emergency repair of a culvert that directs water into the San Lorenzo Creek, near the intersection of A Street and 4th Street. Ensured that contaminants and refuse, such as concrete and litter, were properly handled and disposed of during installation of a new culvert pipe and the laying and grouting of riprap around the pipe. Also, briefed repair teams on the importance of proper concrete handling and the environmental consequences of concrete spill.

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WETLAND DELINEATION

Oyster Cove Mixed-Use Neighborhood, Petaluma, California — Identified the extent of jurisdictional waters and the project's potential to impact jurisdictional waters by completing a baseline delineation of waters of the United States and state (wetlands and other waters), using the U.S. Army Corps of Engineers (USACE) routine methodology and the Arid West Supplement. The Oyster Cove Mixed-Use Neighborhood project is a development plan aimed towards providing housing to multiple different income groups and public recreation space to the City of Petaluma. For this project, drafted the 401/404 permits, biological assessments, and the 1600 Streambed Alteration Agreement needed to begin this project. Also took on project managerial roles such as devising the scope and schedule of work for the client, along with arranging for preconstruction bat and bird surveying for the client. Performed multiple nesting bird surveys.

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Publications

Grady, S.H. 2023. Organic alkalinity in shallow habitats of San Francisco Estuary. Thesis. San Francisco State University, San Francisco, CA. 31 pp.

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Sarah Beilman

Assistant Scientist

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Richmond, CA

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Ms. Sarah Beilman has 6 years of experience as an environmental scientist, working in various habitats along the coast of California. She has experience in a range of projects involving field and laboratory work that aimed to address important environmental concepts such as grazing and native biodiversity. Ms. Beilman's professional experience includes site assessments and reporting, due diligence reporting, construction compliance monitoring, vegetation and hydrology monitoring, vegetation mapping, wetland delineations, habitat assessments, and special-status species surveys and research. She assists on projects by contributing to reports required to obtain permits and authorization from the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, and state and regional Water Quality Control Boards.

Education & Credentials

M.S., Environmental Science, California State University, Monterey Bay, California, 2024

B.S., Environmental Management and Protection, California Polytechnic State University, San Luis Obispo, California, 2019

Continuing Education

Wetlands Regulation and Mitigation course, University of California, Davis (2024)

First Aid and CPR certified (2024)

Professional Affiliations

Member of Women in Environment

Relevant Experience

PLANNING AND PERMITTING

Santa Rosa Conservation/Turnkey Banks, Santa Rosa, California — Prepared a long-term management plan for a 32-acre wetland mitigation site in Sonoma County, including client and subcontractor coordination and GIS analysis. Conducted preserve site visits to survey for rare plant species and assess and map vegetation for adequate management of grazing and invasive plants. Provided wetland delineation support through assessment of aerial imagery and previous jurisdictions.

Hoey North Riparian Restoration, Gilroy, California — Provided botanical support by collaborating with the client and subcontractors on the riparian landscape planting plans. Conducted site visits to record and monitor riparian planting success to document ongoing project compliance with regulatory approvals.

Woolsey Road Riparian Restoration Project, Windsor, California — Prepared a riparian restoration plan including GIS analysis to restore a disturbed segment of a creek channel. Completed vegetation surveys and biological construction monitoring to provide onsite biological resource training and document project compliance with approved regulations.

Tri-Valley Residential Development and Mitigation Sites, Livermore, California — Completed vegetation surveys and mapping to document habitats and assess potential occurrence of rare plant species on mitigation sites. Conducted rare plant surveys in habitats known to support listed species identified within the project vicinity. Prepared reports with GIS analysis to visualize the distribution of habitats and species.

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Publications

Coltharp, E., C. Knowd, E. Abelli-Amen, A. Abounayan, S. Alcaraz, R. Auer, S. Beilman, et al. 2020. Leaf hair tufts function as domatia for mites in *Quercus agrifolia* (Fagaceae). *Madroño* 67(4):165–169.

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Appendix E. Tables

Table 1. Plants Observed on the 5940 Soquel Avenue Property

Table 2. Special-Status Plant Species Known to Occur in the Vicinity of the 5940 Soquel Avenue Property

Table 3. Special-Status Wildlife Species Known to Occur in the Vicinity of 5940 Soquel Avenue Property

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Table 1. Plants Observed on 5940 Soquel Avenue Property

Scientific Name	Common Name
Acacia baileyana	bailey acacia
Acer rubrum	red maple
Aira caryophyllea	silver hairgrass
Allium triquetrum	three-cornered leek
Arum italicum	Italian arum
Avena barbata	slender oat
Avena fatua	wild oat
Bromus sitchensis var. *carinatus*	California brome
Bromus diandrus	ripgut brome
Bromus hordeaceus	soft brome
Bromus laevipes	chinook brome
Calendula arvensis	field marigold
Carduus pycnocephalus	Italian thistle
Cirsium vulgare	bull thistle
Cortaderia jubata	pampas grass
Crassula ovata	jade
Cyperus eragrostis	tall flatsedge
Echium candicans	pride of madeira
Epilobium ciliatum	slender willow herb
Erharta erecta	panic veldt grass

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Eriobotrya japonica	loquat
Eucalyptus globulus	Tasmanian bluegum
Festuca bromoides	brome fescue
Festuca myuros	Rattail sixweeks grass
Foeniculum vulgare	fennel
Fraxinus angustifolia	raywood ash
Fumaria capreolata	white ramping fumitory
Genista monspessulana	French broom
Geranium dissectum	cutleaf geranium
Hedera helix	English ivy
Helminthotheca echioides	bristly ox tongue
Hordeum murinum	foxtail barley
Hypochaeris glabra	smooth cat's ear
Hypochaeris radicata	hairy cat's ear
Juncus bufonius	toad rush
Lonicera japonica	Japan honeysuckle
Lysimachia arvensis	scarlet pimpernel
Lythrum hyssopifolia	hyssop loosestrife
Malva nicaeensis	bull mallow
Medicago polymorpha	burclover
Mentha aquatica	water mint
Verbena bonariensis	purpletop vervain

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Opuntia sp.	cactus
Oxalis pes-caprae	bermuda buttercup
Parietaria judaica	spreading pellitory
Plantago coronopus	cutleaf plantain
Plantago lanceolata	narrowleaf plantain
Quercus agrifolia	coast live oak
Raphanus raphanistrum	wild radish
Raphanus sativus	cultivated radish
Rubus armeniacus	Himalayan blackberry
Rubus ursinus	California blackberry
Rumex crispus	curly dock
Salix lasiolepis	arroyo willow
Sequoia sempervirens	coast redwood
Sonchus oleraceus	common sowthistle
Verbascum thapsus	woolly mullein
Vicia sativa	spring vetch

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Table 2. Special-Status Plant Species Known to Occur in the Vicinity of the 5940 Soquel Avenue Property

Common Name	Scientific Name	Status	Habitat Type/Components	Occurrence Information	Probability of Occurring on the Property
Anderson's manzanita	***Arctostaphylos andersonii***	CNPS Rank 1B.2	Broadleafed upland forest, chaparral, North Coast coniferous forest	CNPS 1 Quad Search	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
Ben Lomond spineflower	***Chorizanthe pungens* var. *hartwegiana***	Federally Endangered, CNPS Rank 1B.1	Lower montane coniferous forest (maritime ponderosa pine sandhills)	IPaC list	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
Ben Lomond wallflower	***Erysimum teretifolium***	California and Federally Endangered, CNPS Rank 1B.1	Chapparal and lower montane coniferous forest	IPaC list	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
California bottle-brush grass	***Elymus californicus***	CNPS Rank 4.3	Broadleafed upland forest, cismontane woodland, North Coast coniferous forest, riparian woodland	CNPS 1 Quad Search	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
Dudley's lousewort	***Pedicularis dudleyi***	CNPS Rank 1B.2	Chaparral (maritime), cismontane woodland, North Coast coniferous forest, valley and foothill grassland	CNPS 1 Quad Search	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
Large-flowered leptosiphon	***Leptosiphon grandiflorus***	CNPS Rank 4.2	Cismontane woodland, closed-cone coniferous forest, coastal bluff scrub, coastal dunes, coastal prairie, coastal scrub, valley and foothill grassland	CNPS 1 Quad Search	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
Maple-leaved checkbloom	***Sidalcea malachroides***	CNPS Rank 4.2	Broadleafed upland forest, coastal prairie, coastal scrub, North Coast coniferous forest, riparian woodland	CNPS 1 Quad Search; CNDDB Occurrence No. 4 (recorded in 1932 somewhere in the City of Santa Cruz; possibly extirpated)	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
Marsh micoseris	***Micoseris paludosa***	CNPS Rank 1B.2	Cismontane woodland, closed-cone coniferous forest, coastal scrub, valley and foothill grassland	Recorded in 1957 approximately 3 miles northwest of the Property (CNDDB Occurrence No. 7)	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
Marsh sandwort	***Arenaria paludicola***	California and Federally Endangered, CNPS Rank 1B.1	Marshes and swamps (brackish, freshwater)	IPaC list	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.

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Perennial goldfields	***Lasthenia californica ssp. Macrantha***	CNPS Rank 1B.2	Coastal bluff scrub, coastal dunes, coastal scrub	CNPS 1 Quad Search; CNDDB Occurrence No. 42 (recorded in 1955 approximately 3 miles east of the Property)	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
Robust spineflower	***Chorizanthe robusta var. robusta***	Federally Endangered, CNPS Rank 1B.1	Maritime chaparral, cismontane woodland (openings), coastal dunes, and coastal scrub	CNPS 1 Quad Search; multiple CNDDB occurrences (the closest record for this species occurs approximately 1.8 miles northwest of the Property)	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
San Francisco popcornflower	***Plagiobothrys diffuses***	California Endangered, CNPS Rank 1B.1	Coastal prairie, valley and foothill grassland	CNDDB Occurrence No. 6 (recorded in 1991 and 1993 approximately 2.6 miles northeast of the Property)	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
Santa Cruz clover	***Trifolium buckwestiorum***	CNPS Rank 1B.1	Broadleafed upland forest, cismontane woodland, coastal prairie	CNPS 1 Quad Search; CNDDB Occurrence No. 14 (recorded approximately 1 mile northeast of the Property on an unknown date)	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
Santa Cruz tarplant	***Holocarpha macradenia***	Federally Threatened, California Endangered, CNPS Rank 1B.1	Coastal prairie, coastal scrub, valley and foothill grassland	CNPS 1 Quad Search; multiple CNDDB occurrences (the closest record for this species occurs approximately 0.7 mile north of the Property, dating from 1979 to 1998)	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
Scotts Valley polygonum	***Polygonum hickmanii***	California and Federally Endangered, CNPS Rank 1B.1	Valley and foothill grassland (mudstone, sandstone)	IPaC list	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
Scotts Valley spineflower	***Chorizanthe robusta* var. *hartwegii***	Federally Endangered, CNPS Rank 1B.1	Meadows and seeps (sandy), valley and foothill grassland (mudstone, Pursima outcrops)	IPaC list	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
White-rayed pentachaeta	***Pentachaeta bellidflora***	Federally and California Endangered, CNPS Rank 1B.1	Cismontane woodland, valley and foothill grassland (often serpentinite)	CNPS 1 Quad Search; CNDDB Occurrence No. 11 (recorded in 1933 at undefined location in the vicinity of Santa Cruz; possibly extirpated)	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.
Woodland woollythreads	***Monolopia gracilens***	CNPS Rank 1B.1	Broadleafed upland forest (openings), chaparral (openings), cismontane woodland, North Coast coniferous forest (openings), valley and foothill grassland	CNPS 1 Quad Search; multiple CNDDB occurrences (the closest record for this species is from somewhere in the City of Santa Cruz, dating from 1935)	**None.** The developed surfaces and ruderal/planted vegetation communities do not provide suitable habitat for this species.

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Table 3. Special-Status Wildlife Species Known to Occur in the Vicinity of 5940 Soquel Avenue Property

Common Name	Scientific Name	Status	Habitat Type/Components	Occurrence Information	Probably of Occurring on the Property
Bank swallow	***Riparia riparia***	California Threatened	Sand banks and vertical embankments at least one meter in height	Species recorded in Santa Cruz area from pre-1890 to 1954 approximately 2 miles west of the Property (CNDDB Occurrence No. 177)	**None.** There are no embankments on the Property.
California Black Rail	***Laterallus jamaicensis coturniculus***	California Threatened, California Fully Protected	Saline, brackish, and fresh emergent wetlands in the San Francisco Bay area and Delta, and coastal southern California	Species recorded in Santa Cruz area from 1903 to 1941 approximately 2 miles west of the Property (CNDDB Occurrence No. 288)	**None.** There is no marsh habitat on the Property.
California condor	***Gymnogyps californianus***	California and Federally Endangered, California Fully Protected	Large trees or snags, rocky outcrops, cliffs, caves, open grasslands, oak savanna foothills, and beaches adjacent to coastal mountains.	IPaC list	**None.** The Property does not contain any habitat types utilized by this species.
California giant salamander	***Dicamptodon ensatus***	State Species of Special Concern	Cool, moist, forest habitat and rocky streams and springs	Species recorded along Arana Gulch is 1987, approximately 1.1 mile northwest of the Property (CNDDB Occurrence No. 165)	**None.** There is no forest habitat, streams, or springs on the Property.
California least tern	***Sternula antillarum browni***	California and Federally Endangered, California Fully Protected	Beaches close to river mouths, estuaries, and costal embayments.	IPaC list	**None.** The Property does not contain any habitat types utilized by this species.
California red-legged frog	***Rana draytonii***	Federally threatened, State Species of Special Concern	Streams, ponds, and nearby upland areas with refugia, such as rocks, leaf litter, and animal burrows.	IPaC list	**None.** There are no CNDDB occurrences within three miles of the Property, and the highly developed landscape provides little potential habitat for this species. No small mammal burrows are present on the Property.

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California tiger salamander	***Ambystoma californiense***	California and Federally Threatened	Standing bodies of fresh water and nearby upland areas with small mammal burrows or underground hideaways.	IPaC list	**None.** There are no CNDDB occurrences within three miles of the Property, and the highly developed landscape provides little potential habitat for this species. No small mammal burrows are present on the Property.
Coho salmon – central California coast ESU	***Oncorhynchus kisutch***	California and Federally Endangered	Relatively permanent coastal streams and associated waterbodies below natural and manmade barriers from Punta Gorda in northern California south to the San Lorenzo River in central California, as well as tributaries to San Francisco Bay, excluding the Sacramento-San Joaquin River system	Species occurs in the San Lorenzo River, located approximately 2.5 miles west of the Property (CNDDB Occurrence No. 4)	**None.** There are no streams or other waterbodies on the Property.
Eulachon – southern DPS	***Thaleichthys pacificus***	Federally Threatened	Rivers ranging from the Mad River in northern California to the Skeena River in northern British Columbia, Canada	Recorded around 1911 at the mouth of Soquel Creek, approximately 1.5 miles southeast of the Property (CNDDB Occurrence No. 10)	**None.** There are no streams or other waterbodies on the Property.
Foothill yellow-legged frog, central coast DPS	***Rana boylii***	Federally Threatened, California Endangered	Foothill and mountain streams and a wide variety of vegetation types occurring near streams	Recorded from 1992 to 2021 along Soquel Creek, approximately 1.1 mile east of the Property (CNDDB Occurrence No. 102)	**None.** There are no streams on the Property, and the area between the nearest stream and the Property lacks habitat for this species.
Least bell's vireo	***Vireo bellii pusillus***	California and Federally Endangered	Primarily willow-dominated riparian woodlands; may also use neighboring mulefat scrub, oak woodlands, and chaparral.	IPaC list	**None.** There are no plant communities on the Property that would support this species.

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Marbled murrelet	***Brachyramphus marmoratus***	Federally Threatened, California Endangered	Near-shore marine waters and old-growth forests.	IPaC list	**None.** The Property is not forested.
Mount Hermon June beetle	***Polyphylla barbata***	Federally Endangered	Only found within the Zayante Sandhills of Santa Cruz County.	IPaC list	**None.** Sandhills do not occur on the Property.
Ohlone tiger beetle	***Cicindela Ohlone***	Federally Endangered	Grassland habitats on coastal terrace prairies	Record from 1990 to 2004, approximately 0.7 mile north of the Property (Occurrence No. 4)	**None.** The Property and surrounding lands are developed, lacking suitable grassland habitat for this species.
Pallid bat	***Antrozous pallidus***	State Species of Special Concern	Occurs in a wide variety of habitats, including grassland, shrublands, woodlands, and forests. Most common in open, dry habitats with rocky areas for roosting. Day roosts are in caves, crevices, mines, and occasionally hollow trees and buildings; night roosts may be in more open areas, such as porches and open buildings.	Record from 1928 within proximity to the Property (CNDDB Occurrence No. 258)	**Low.** The Property is unlikely to support this species given its lack of buildings or natural habitats. However, there are some trees within and adjacent to the site that may providing roosting habitat.
San Francisco garter snake	***Thamnophis sirtalis tetrataenia***	California and Federally Endangered, California Fully Protected	Aquatic and upland habitat (ponds, creeks, marshes, canals, and other water sources; grasslands with rodent burrows or rocks for shelter)	IPaC list	**None.** There are no CNDDB occurrences within three miles of the Property, and the highly developed landscape provides little potential habitat for this species.

Exhibit D

Santa Cruz black salamander	***Aneides niger***	State Species of Special Concern	Prefers cool, moist and shaded conditions along ravines and water courses. Uses rock slides, rotten logs, and surface debris for cover.	The closest record for this species occurs approximately 2 miles west of the Property (CNDDB Occurrence No. 17) and dates to the 1970s	**None.** There are no water courses or appropriate cover for this species on or adjacent to the Property.
Steelhead - central California coast DPS	***Oncorhynchus mykiss***	Federally Threatened	Relatively permanent coastal streams and associated waterbodies below natural and manmade barriers from the Russian River (Sonoma Co.) south to Aptos Creek (Santa Cruz Co.), and the drainages of San Francisco Bay eastward to the Napa River (inclusive), excluding the Sacramento-San Joaquin River Basin	The closest record for this species occurs approximately 0.7 mile west of the Property (CNDDB Occurrence No. 15) in Arana Gulch.	**None.** There are no streams or other waterbodies on the Property.
Tidewater goby	***Eucyclogobius newberryi***	Federally Endangered	Brackish water lagoons, estuaries, and marshes along the California coast.	The closest record occurs approximately 0.9 mile east of the Property (CNDDB Occurrence No. 94) in Soquel Creek.	**None.** There are no aquatic habitats on the Property.
Townsend's big-eared bat	***Corynorhinus townsendii***	State Species of Special Concern	Found in many habitat types. Requires caves, mines, tunnels, buildings, or other human-made structures for roosting.	Record from 1934 and 1945 within close proximity to the Property (CNDDB Occurrence No. 361)	**Low.** Roosting is unlikely to occur on the human-made structures at the Property since this species is extremely sensitive to disturbance of roosting sites and there is ongoing activity on the Property.
Western Pond Turtle	***Emys marmorata***	Proposed Federally Threatened, State Species of Special Concern	A variety of habitats adjacent to permanent or nearly permanent water	The closest record for this species occurs approximately 1.1 mile east of the Property along Soquel Creek (CNDDB Occurrence No. 1079)	**None.** The Property is entirely developed and does not provide burrows or aquatic features necessary to support this species.

Exhibit D

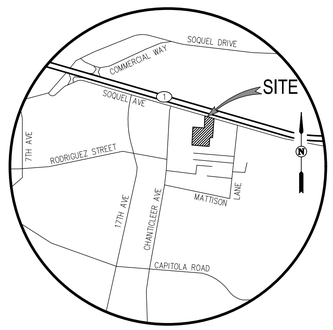
Western snowy plover	***Charadrius nivosus nivosus***	Federally Threatened, State Species of Special Concern	Coastal beaches, sand spits, dune- and bluff-backed beaches, sparsely vegetated dunes, beaches at creek and river mouths, salt pans at lagoons and estuaries, salt ponds levees, dry salt ponds, and estuarine sand and mud flats.	IPaC list	**None.** No habitat types utilized by this species occur on the Property.
Yellow-billed cuckoo	***Coccyzus americanus***	Federally Threatened, California Endangered	Extensive deciduous riparian thickets or forests with dense, low-level or understory foliage, abutting slow-moving watercourses, backwaters, or seeps. Willow almost always a dominant component of the vegetation.	IPaC list	**None.** There are no extensive riparian thickets on the Property.
Yellow rail	***Coturnicops noveboracensis***	State Species of Special Concern	Occurs in densely vegetated marshes.	Record from 1903 and 1905 at an undefined location in the vicinity of Santa Cruz (CNDDB Occurrence No. 42)	**None.** There are no marshes on the Property.
Zayante band-winged grasshopper	***Trimerotropis infantilis***	Federally Endangered	Restricted to sand parkland habitat found on ridges and hills within the Zayante sandhills ecosystem in Santa Cruz County.	Record in 1941 at an undefined location in the vicinity of Santa Cruz (CNDDB Occurrence No. 6)	**None.** Sandhills are not present on the Property.

5940 SOQUEL AVENUE

UNINCORPORATED SANTA CRUZ COUNTY



ARTIST CONCEPTION: PLEASE SEE PLANS FOR PROJECT SPECIFICATIONS



VICINITY MAP

NOT TO SCALE

DEVELOPER

KB HOME NORTHERN CALIFORNIA — BLAKE PETERS
5000 EXECUTIVE PARKWAY, SUITE 125 — (650) 288-5970
SAN RAMON, CA 94583

ARCHITECT

SDG ARCHITECTS — JENNIFER MASTRO
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BRENTWOOD, CA 94513

CIVIL ENGINEER

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2633 CAMINO RAMON, SUITE 350 — (925) 866-0322
SAN RAMON, CA 94583

GEOTECHNICAL ENGINEER

CORNERSTONE EARTH GROUP, INC. — JOHN R. DYE, P.E., G.E.
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SUNYVALE, CA 94085

LANDSCAPE ARCHITECT

HMH LANDSCAPE ARCHITECTURE — KAYLA YOUNG
1570 OAKLAND ROAD — (408) 487-2200
SAN JOSE, CA 95131

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3903-000

5940 Soquel Avenue
Santa Cruz, CA
July 11, 2025

APN: 029-021-047

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cbg CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON · ROSEVILLE

CORNERSTONE EARTH GROUP

HMH
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(408) 487-2200
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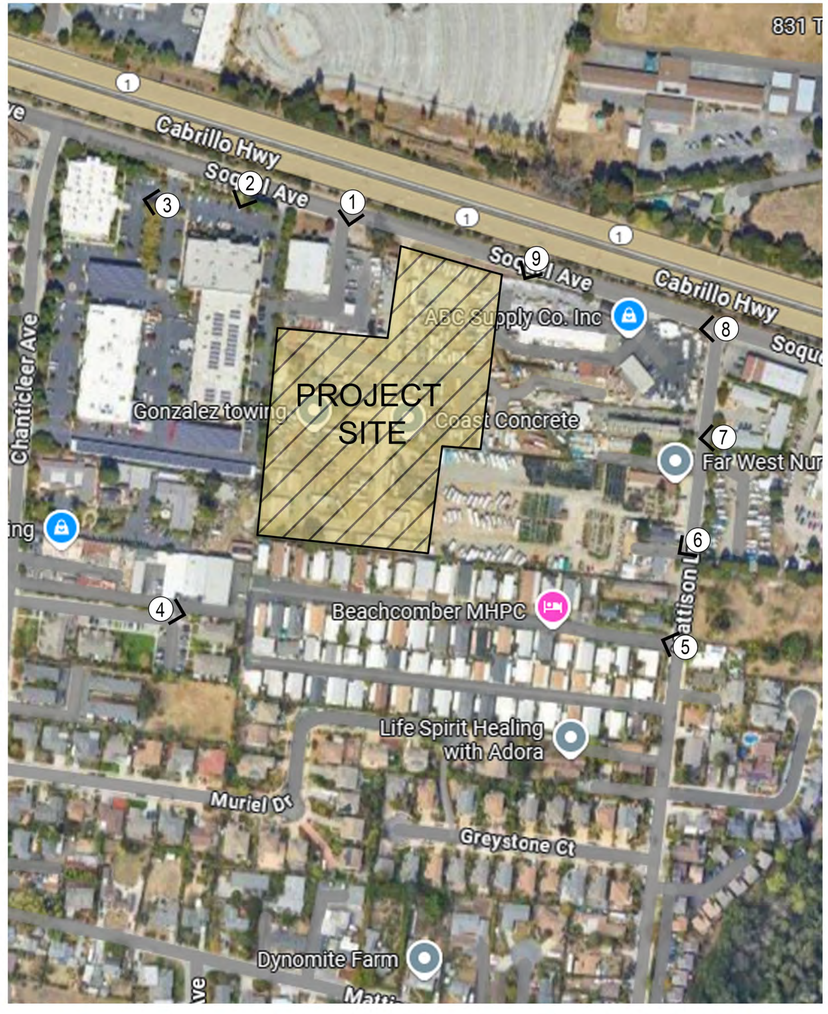
Exhibit E



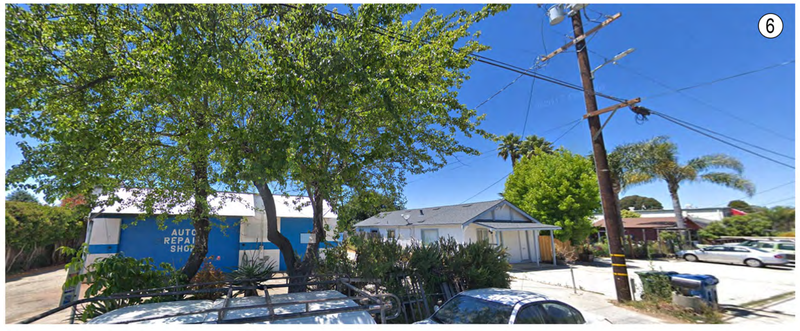


















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March 18, 2025

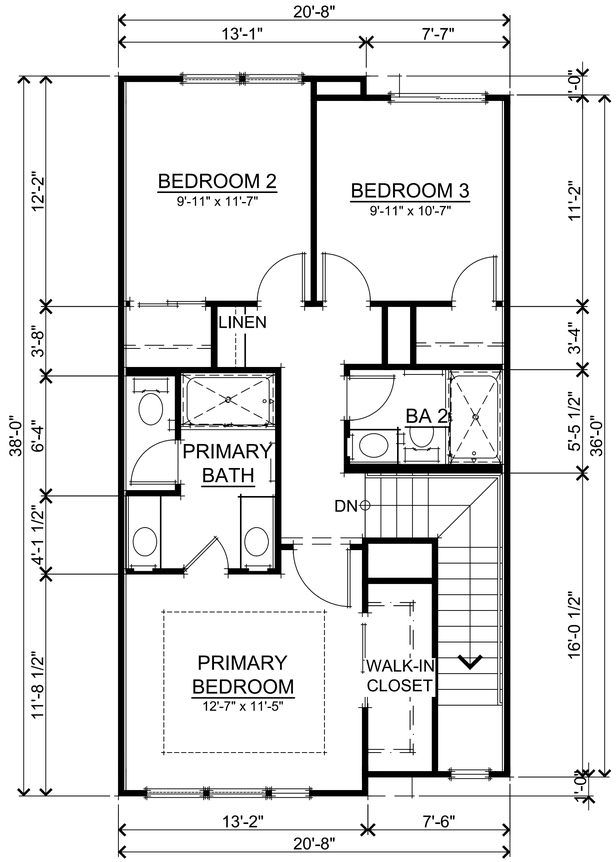
PHOTOGRAPHS OF PROJECT SITE AND NEIGHBORHOOD CONTEXT

A00

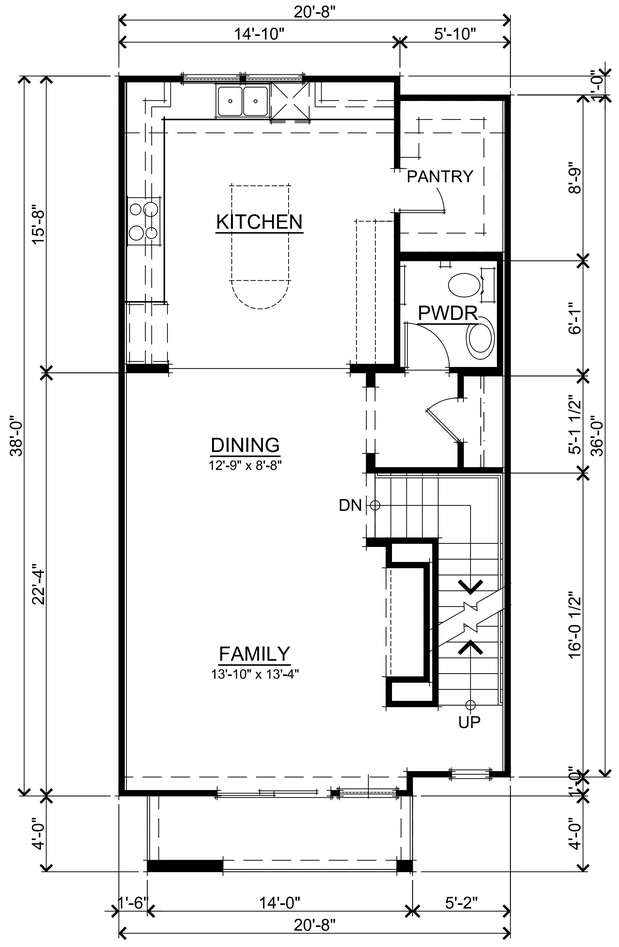
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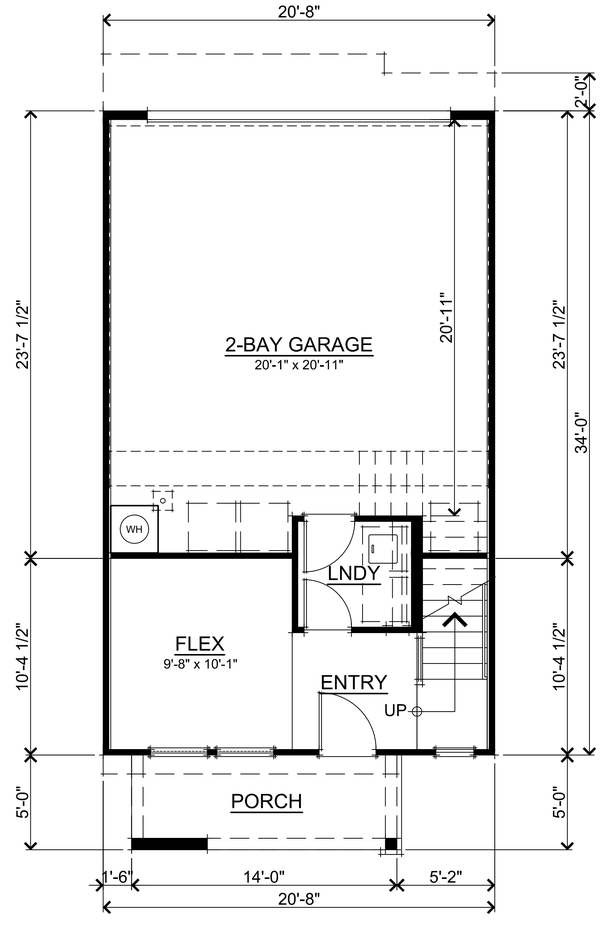
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THIRD FLOOR PLAN



SECOND FLOOR PLAN



FIRST FLOOR PLAN

SQUARE FOOTAGES	
FIRST FLOOR	230 SQ. FT.
SECOND FLOOR	774 SQ. FT.
THIRD FLOOR	731 SQ. FT.
TOTAL LIVING	1735 SQ. FT.
2-BAY GARAGE	473 SQ. FT.
PORCH	72 SQ. FT.
DECK	56 SQ. FT.

0 1' 2' 3' 4' 8'

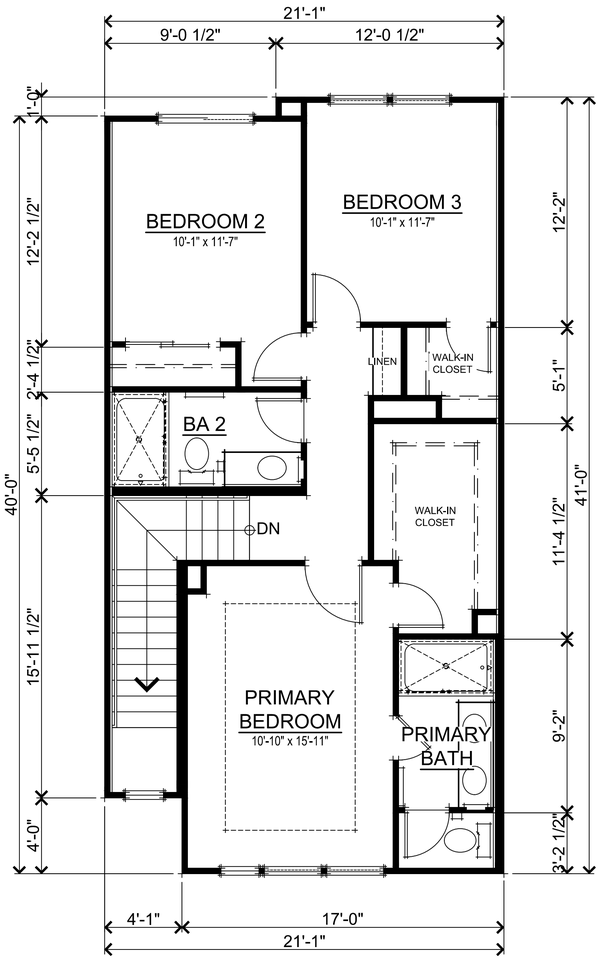
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UNIT 1 FLOOR PLANS
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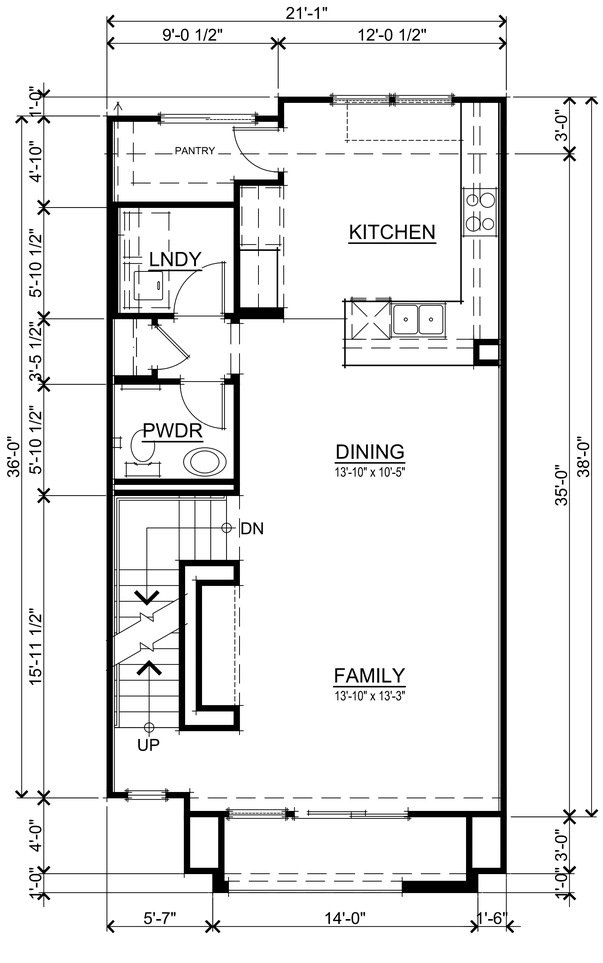
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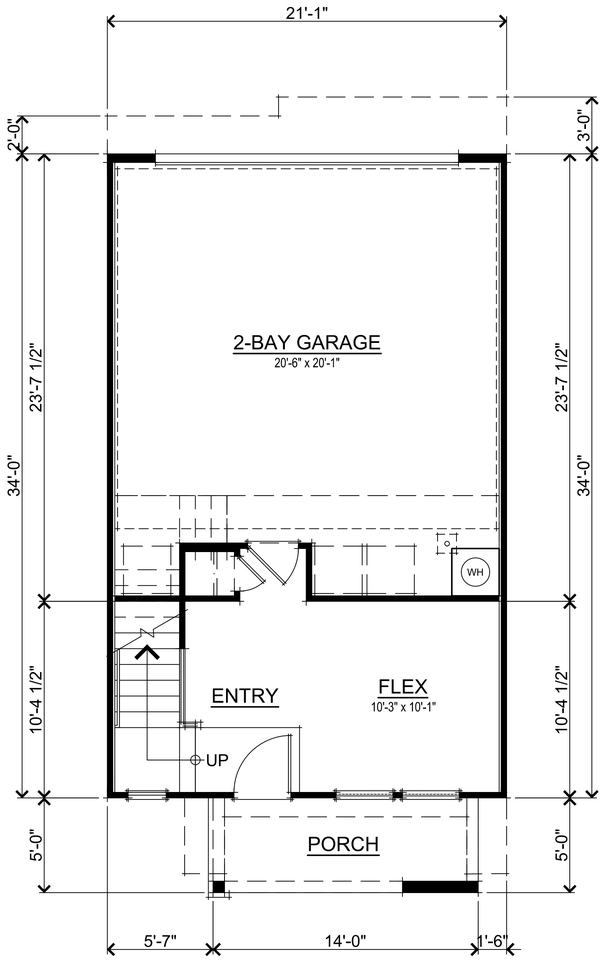
Exhibit E



THIRD FLOOR PLAN



SECOND FLOOR PLAN



FIRST FLOOR PLAN

SQUARE FOOTAGES	
FIRST FLOOR	244 SQ. FT.
SECOND FLOOR	788 SQ. FT.
THIRD FLOOR	791 SQ. FT.
TOTAL LIVING	1823 SQ. FT.
2-BAY GARAGE	472 SQ. FT.
PORCH	72 SQ. FT.
DECK	52 SQ. FT.

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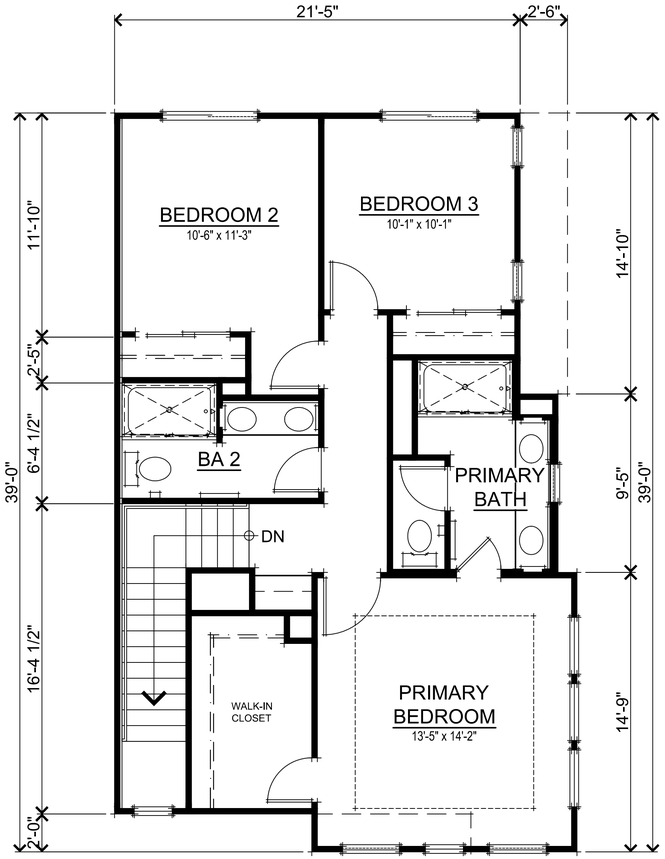
UNIT 2 FLOOR PLANS
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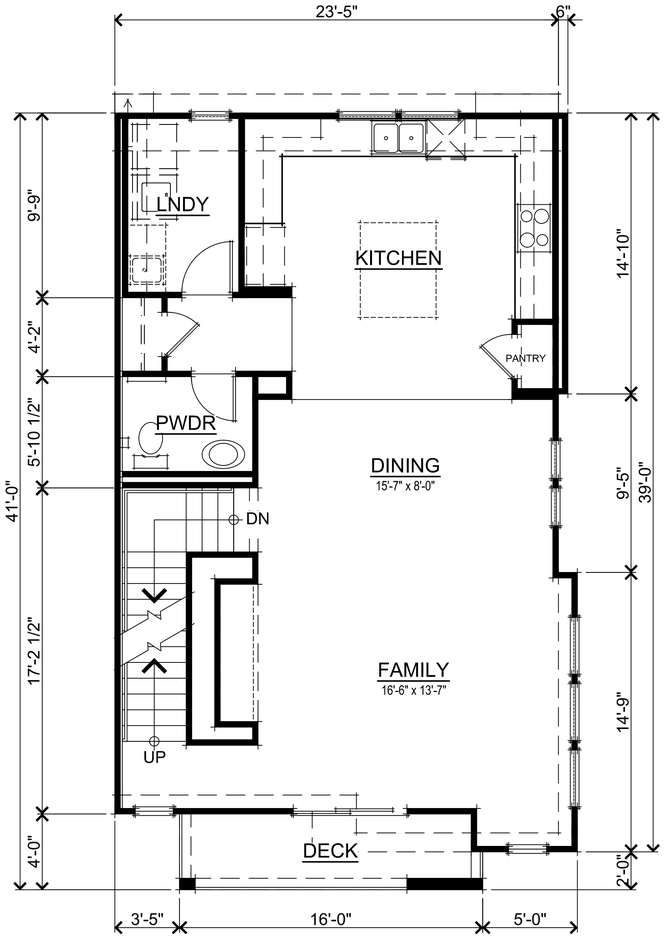
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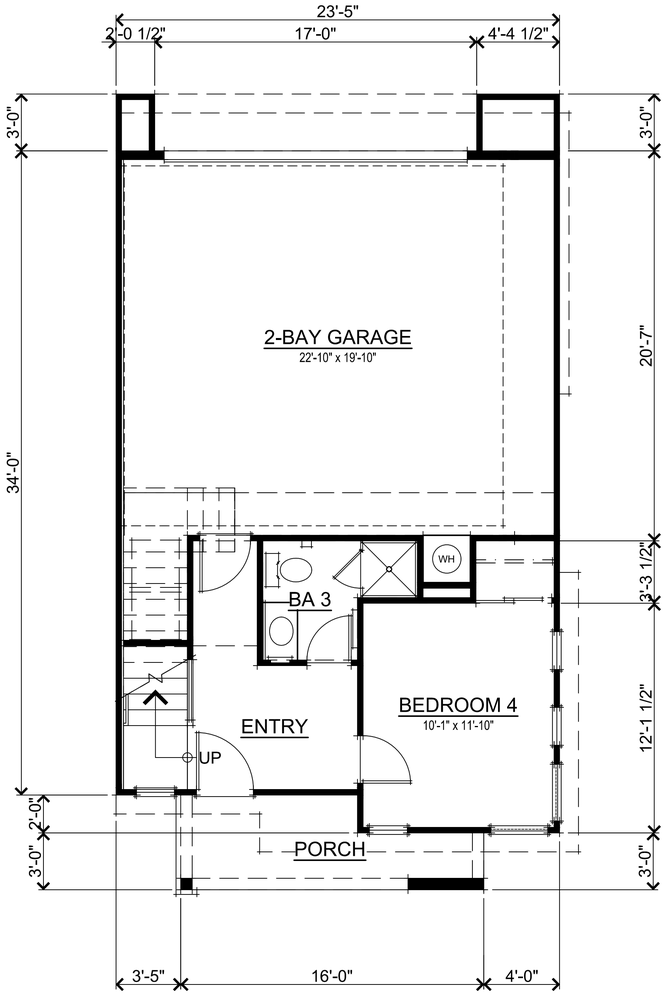
Exhibit E



THIRD FLOOR PLAN



SECOND FLOOR PLAN



FIRST FLOOR PLAN

SQUARE FOOTAGES	
FIRST FLOOR	315 SQ. FT.
SECOND FLOOR	913 SQ. FT.
THIRD FLOOR	844 SQ. FT.
TOTAL LIVING	2072 SQ. FT.
2-BAY GARAGE	496 SQ. FT.
PORCH	68 SQ. FT.
DECK	40 SQ. FT.

0 1' 2' 3' 4' 8'

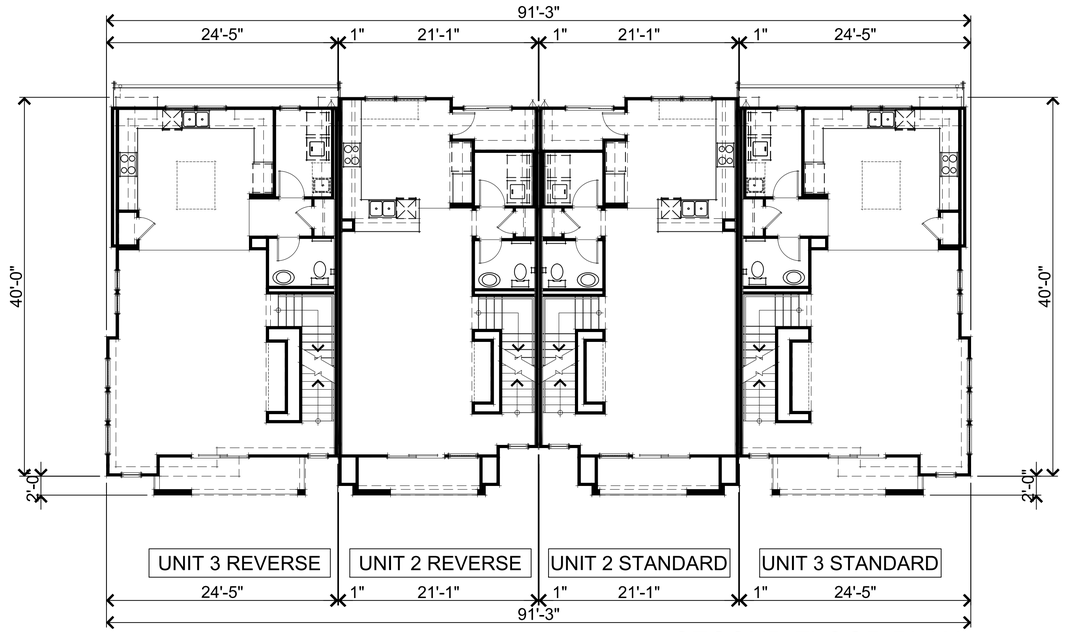
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UNIT 3 FLOOR PLANS
A03

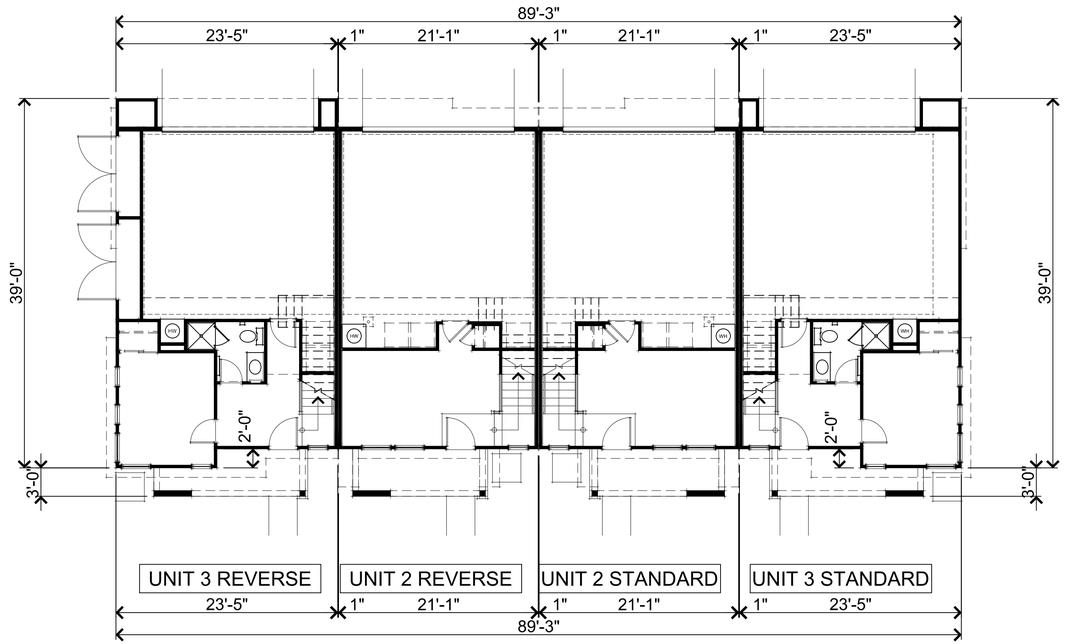
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Exhibit E



SECOND FLOOR PLAN



* UTILITIES MAY VARY BASED ON LOCATION ON SITE

FIRST FLOOR PLAN

0 2' 4' 6' 8' 16'

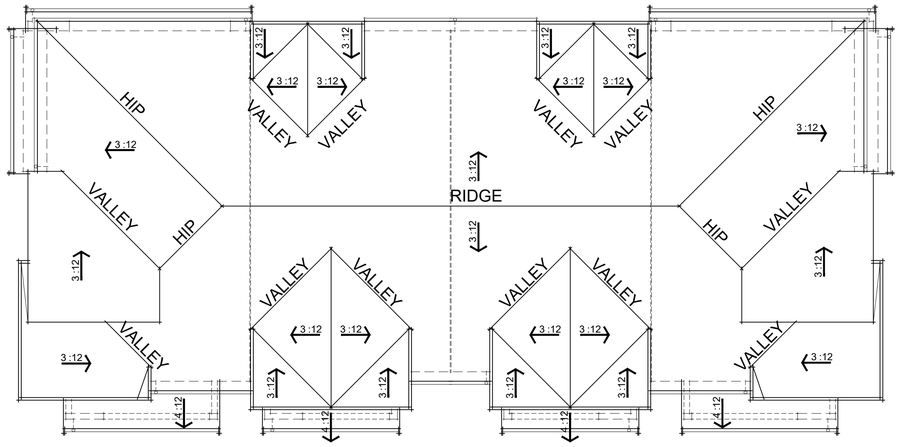
4-UNIT FIRST & SECOND FLOOR PLANS
A04

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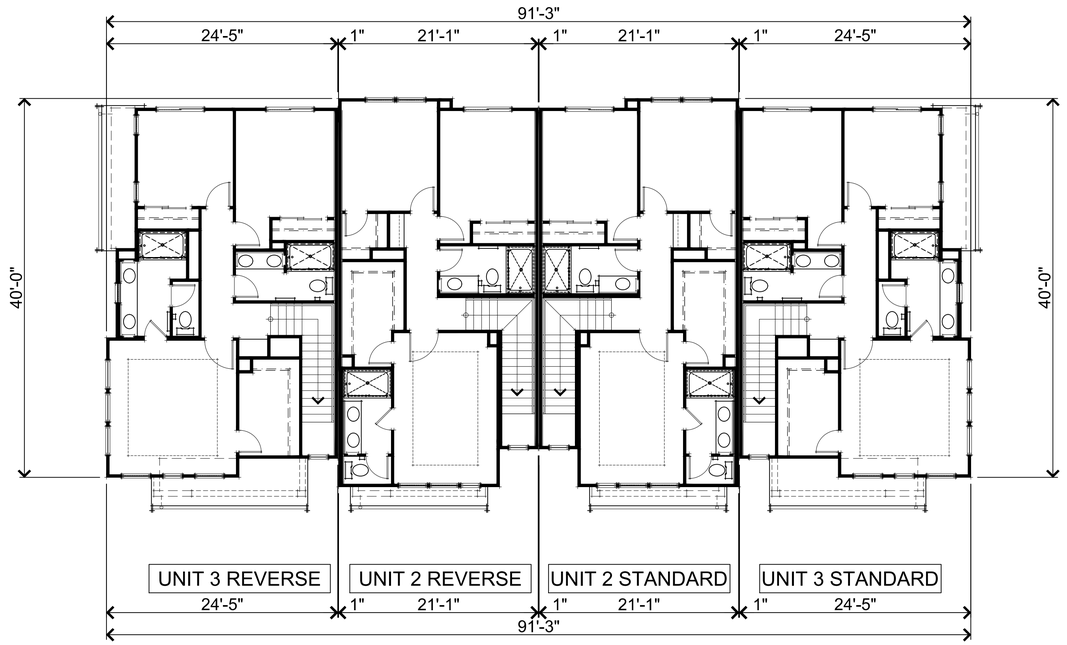
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Exhibit E



ROOF PLAN



THIRD FLOOR PLAN

0 2' 4' 6' 8' 16'

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4-UNIT THIRD FLOOR PLAN & ROOF PLAN
A05

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Exhibit E



LEFT ELEVATION



RIGHT ELEVATION

TYPICAL EXTERIOR MATERIALS

① - EXTERIOR PLASTER, MEDIUM SAND FINISH
② - BOARD & BATTEN VERTICAL SIDING
③ - FIBER CEMENT HORIZONTAL SIDING
④ - PERFORATED MESH METAL RAILINGS
⑤ - WOOD WINDOW TRIM @ SIDING
⑥ - ARCHITECTURAL QUALITY COMPOSITION SHINGLE ROOFING



REAR ELEVATION



FRONT ELEVATION

0 2' 4' 6' 8' 16'

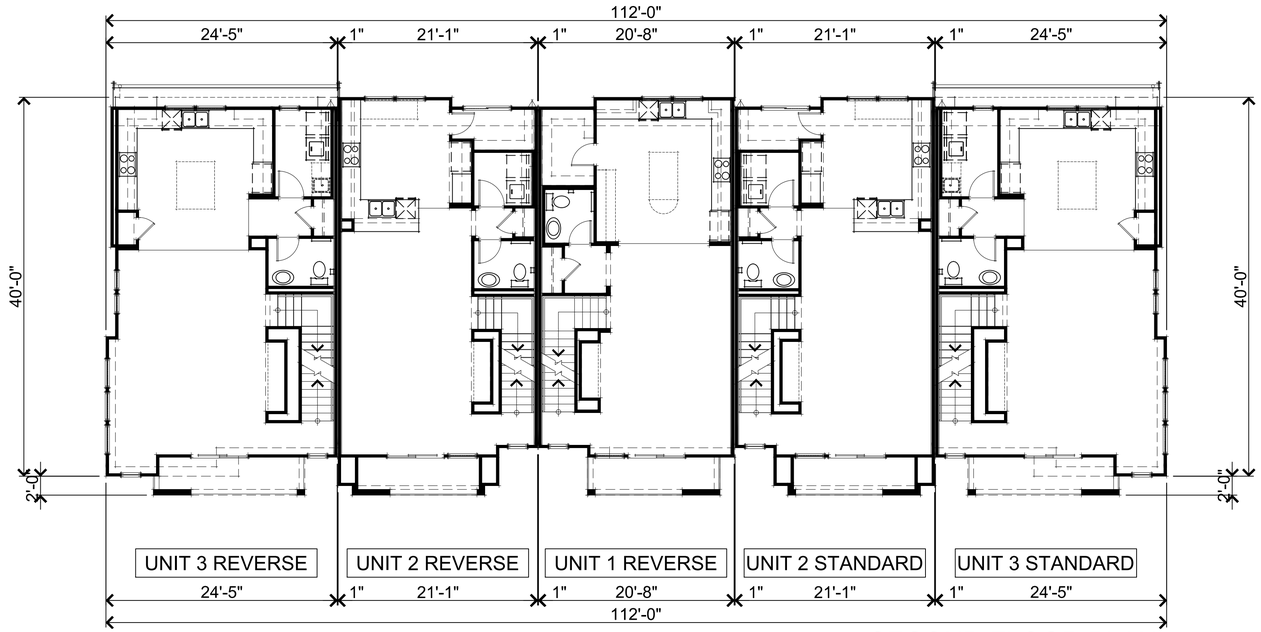
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4-UNIT ELEVATIONS
A06

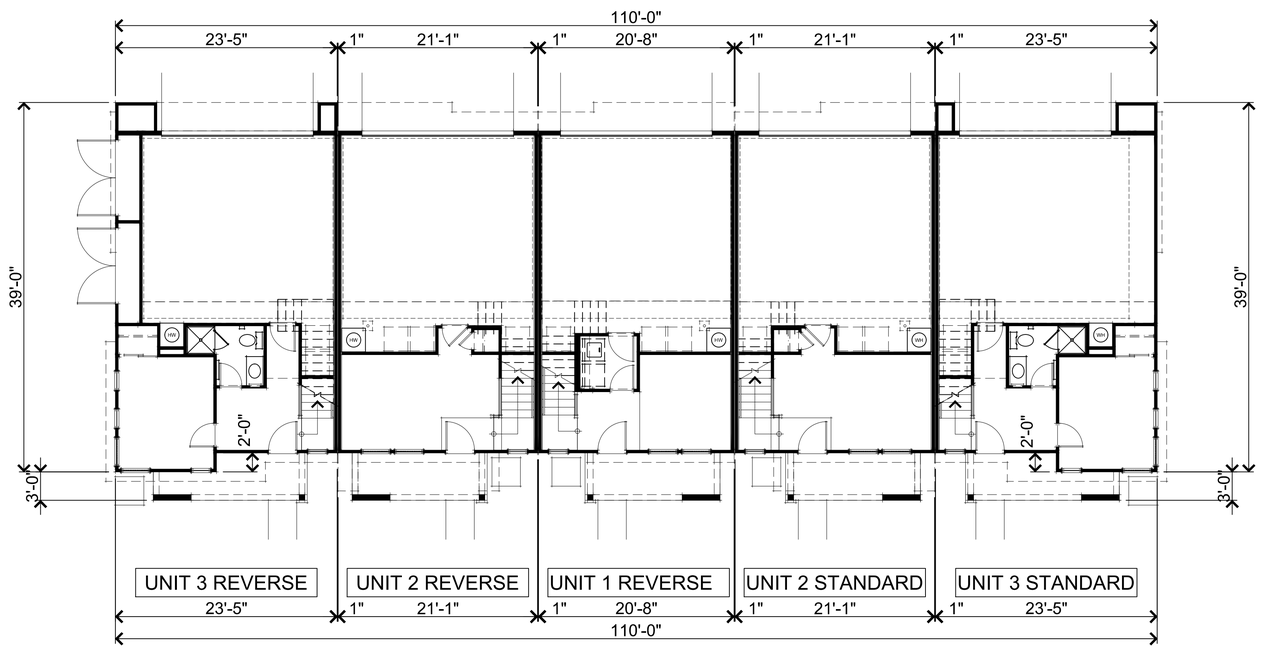
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Exhibit E



SECOND FLOOR PLAN



* UTILITIES MAY VARY BASED ON LOCATION ON SITE

FIRST FLOOR PLAN

0 2' 4' 6' 8' 16'

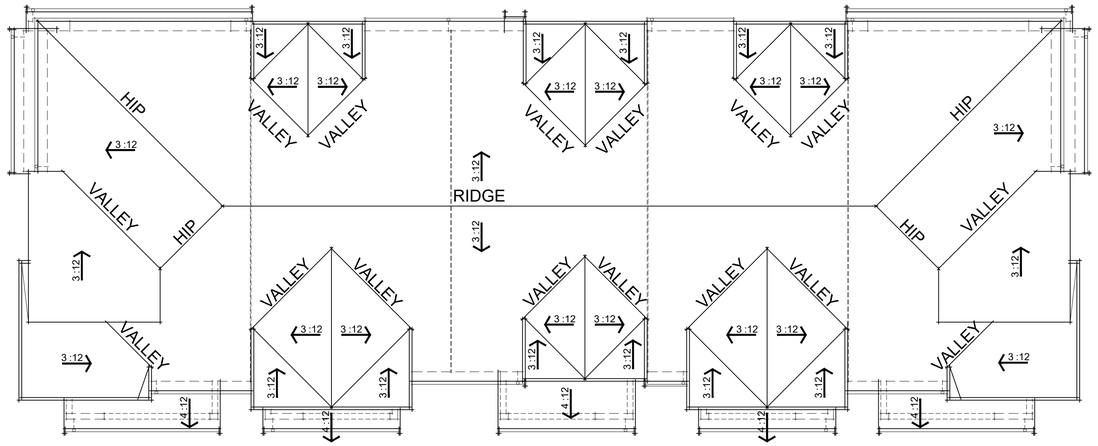
310.541 Soquel Avenue
Santa Cruz, CA
March 18, 2025

5-UNIT FIRST & SECOND FLOOR PLANS
A07

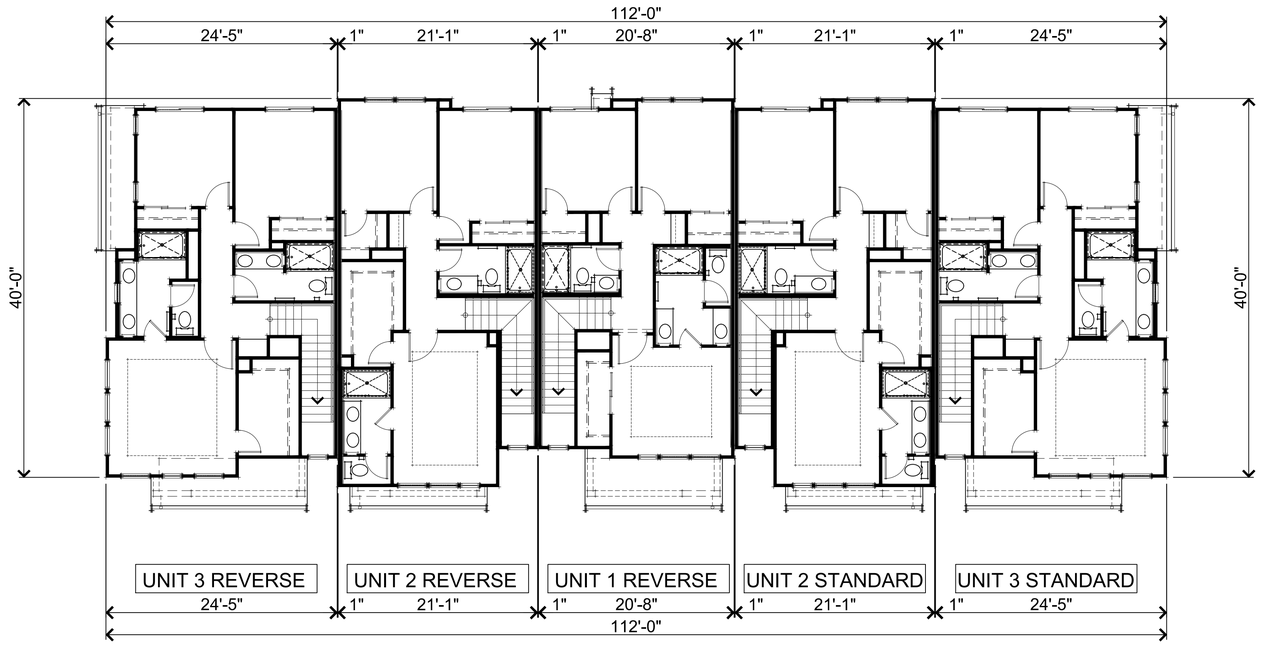
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Exhibit E



ROOF PLAN



THIRD FLOOR PLAN

0 2' 4' 6' 8' 16'

5-UNIT THIRD FLOOR PLAN & ROOF PLAN

A08

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March 18, 2025

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Exhibit E



LEFT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



FRONT ELEVATION

TYPICAL EXTERIOR MATERIALS

① - EXTERIOR PLASTER, MEDIUM SAND FINISH
② - BOARD & BATTEN VERTICAL SIDING
③ - FIBER CEMENT HORIZONTAL SIDING
④ - PERFORATED MESH METAL RAILINGS
⑤ - WOOD WINDOW TRIM @ SIDING
⑥ - ARCHITECTURAL QUALITY COMPOSITION SHINGLE ROOFING

0 2' 4' 6' 8' 16'

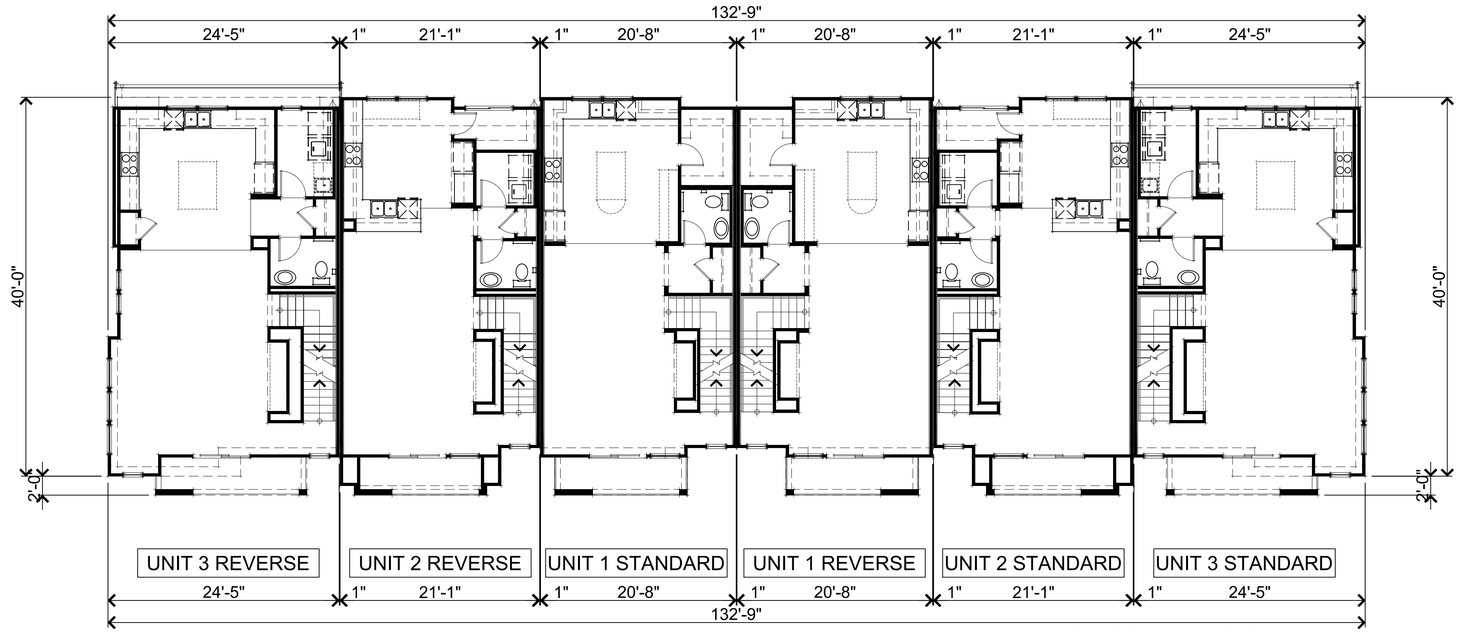
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March 18, 2025

5-UNIT ELEVATIONS
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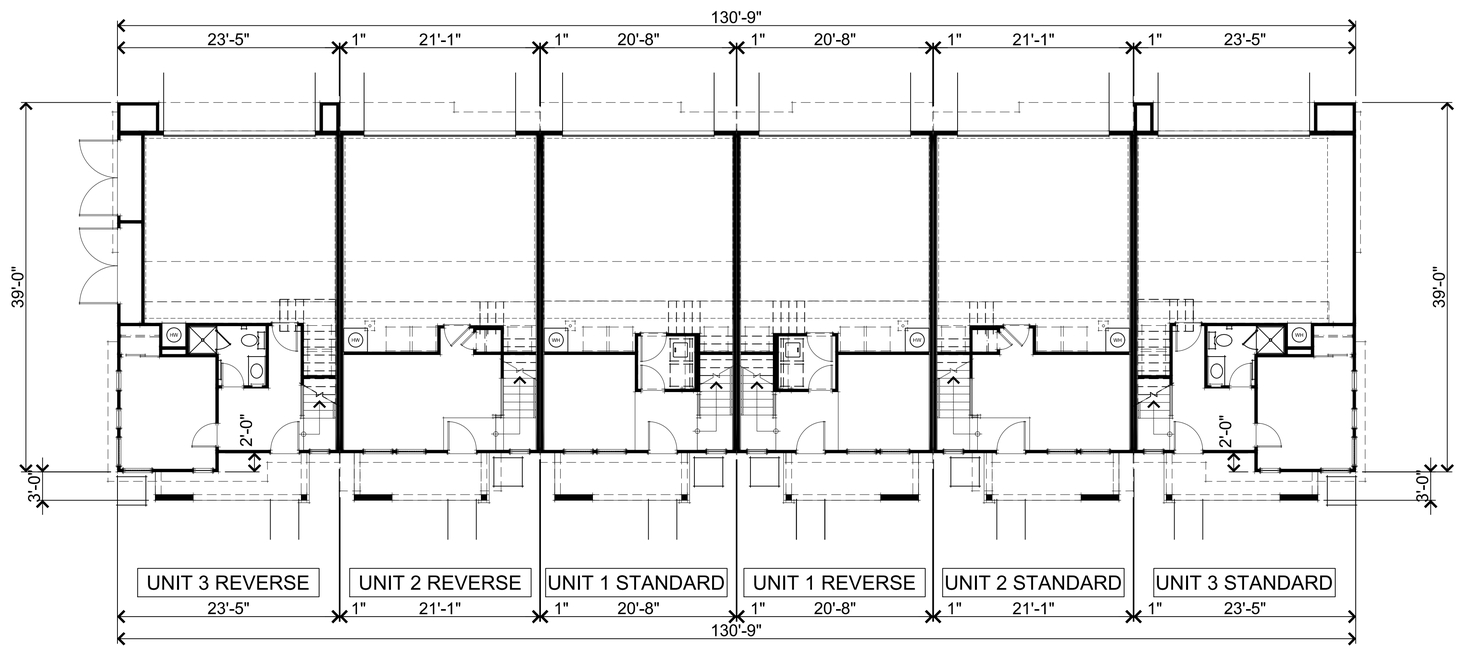
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Exhibit E



SECOND FLOOR PLAN



* UTILITIES MAY VARY BASED ON LOCATION ON SITE

FIRST FLOOR PLAN

0 2' 4' 6' 8' 16'

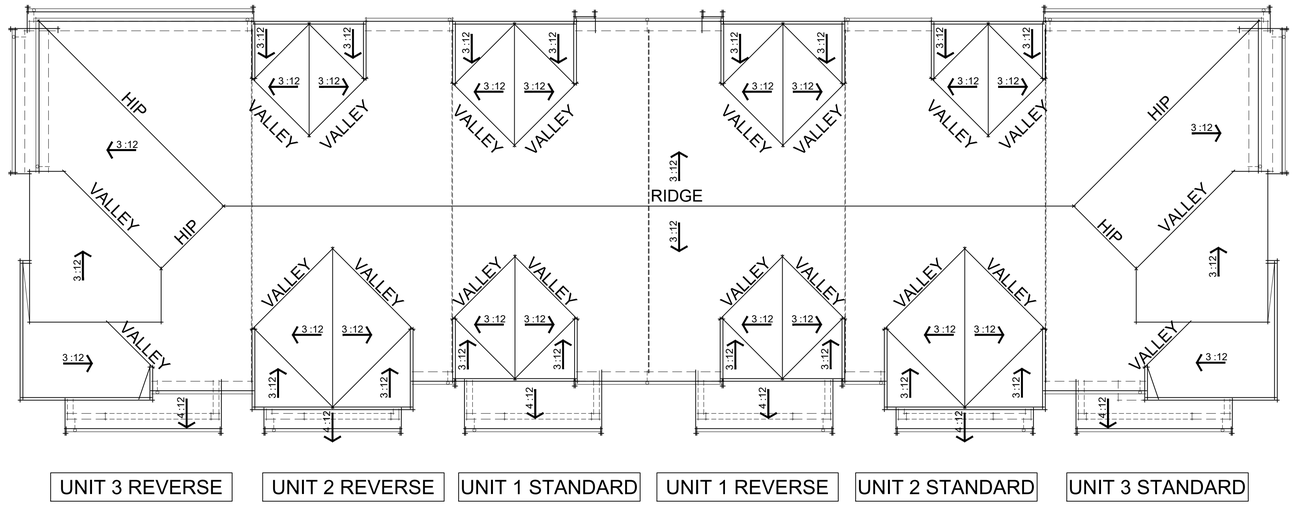
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6-UNIT FIRST & SECOND FLOOR PLANS
A10

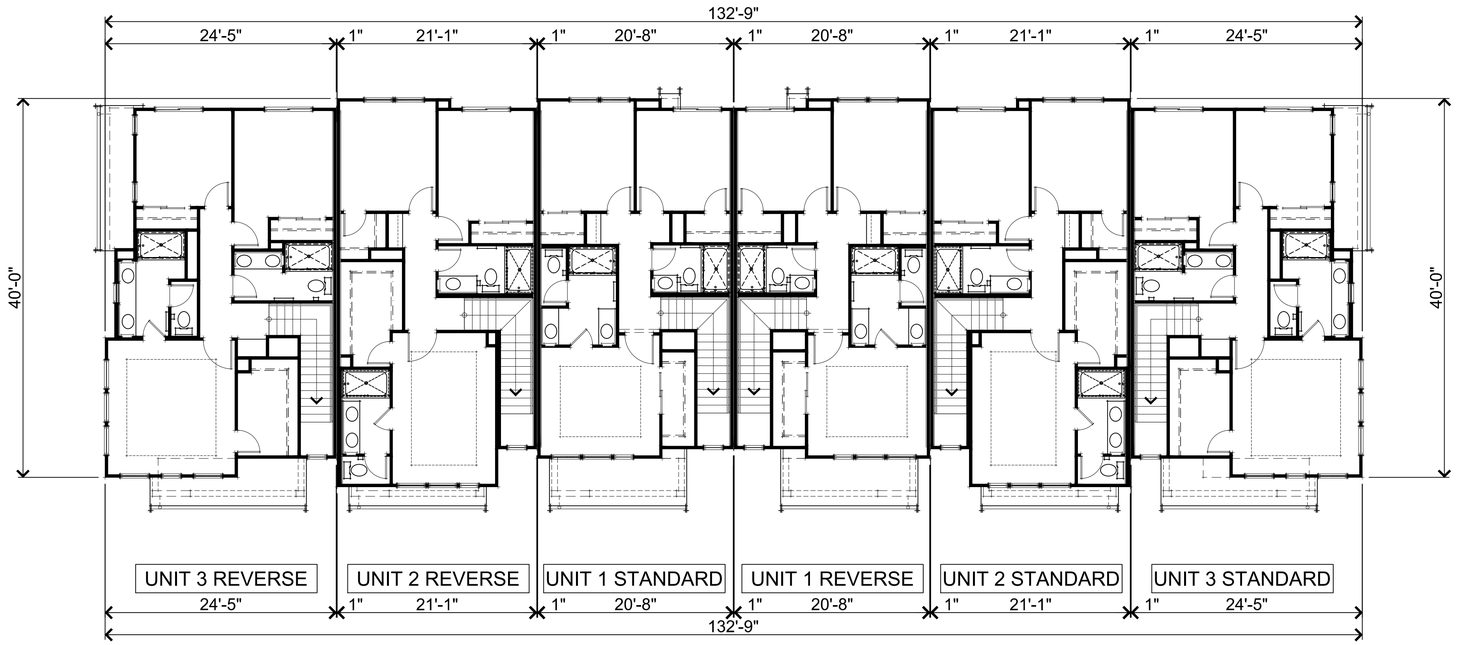
KB Home
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Exhibit E



ROOF PLAN



THIRD FLOOR PLAN

0 2' 4' 6' 8' 16'

310.541 Soquel Avenue
Santa Cruz, CA
March 18, 2025

6-UNIT THIRD FLOOR PLAN & ROOF PLAN
A11

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Exhibit E



LEFT ELEVATION



RIGHT ELEVATION

TYPICAL EXTERIOR MATERIALS

① - EXTERIOR PLASTER, MEDIUM SAND FINISH
② - BOARD & BATTEN VERTICAL SIDING
③ - FIBER CEMENT HORIZONTAL SIDING
④ - PERFORATED MESH METAL RAILINGS
⑤ - WOOD WINDOW TRIM @ SIDING
⑥ - ARCHITECTURAL QUALITY COMPOSITION SHINGLE ROOFING



REAR ELEVATION



FRONT ELEVATION

0 2' 4' 6' 8' 16'

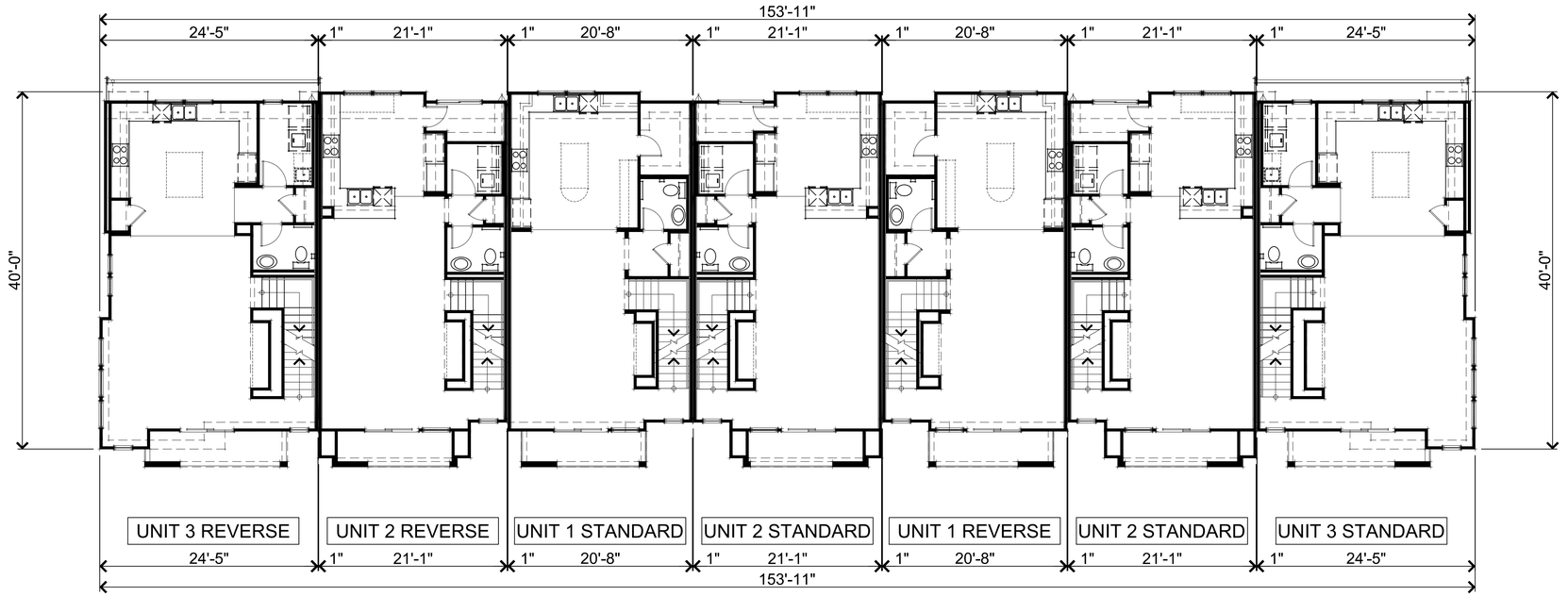
310.541 Soquel Avenue
Santa Cruz, CA
March 18, 2025

6-UNIT ELEVATIONS
A12

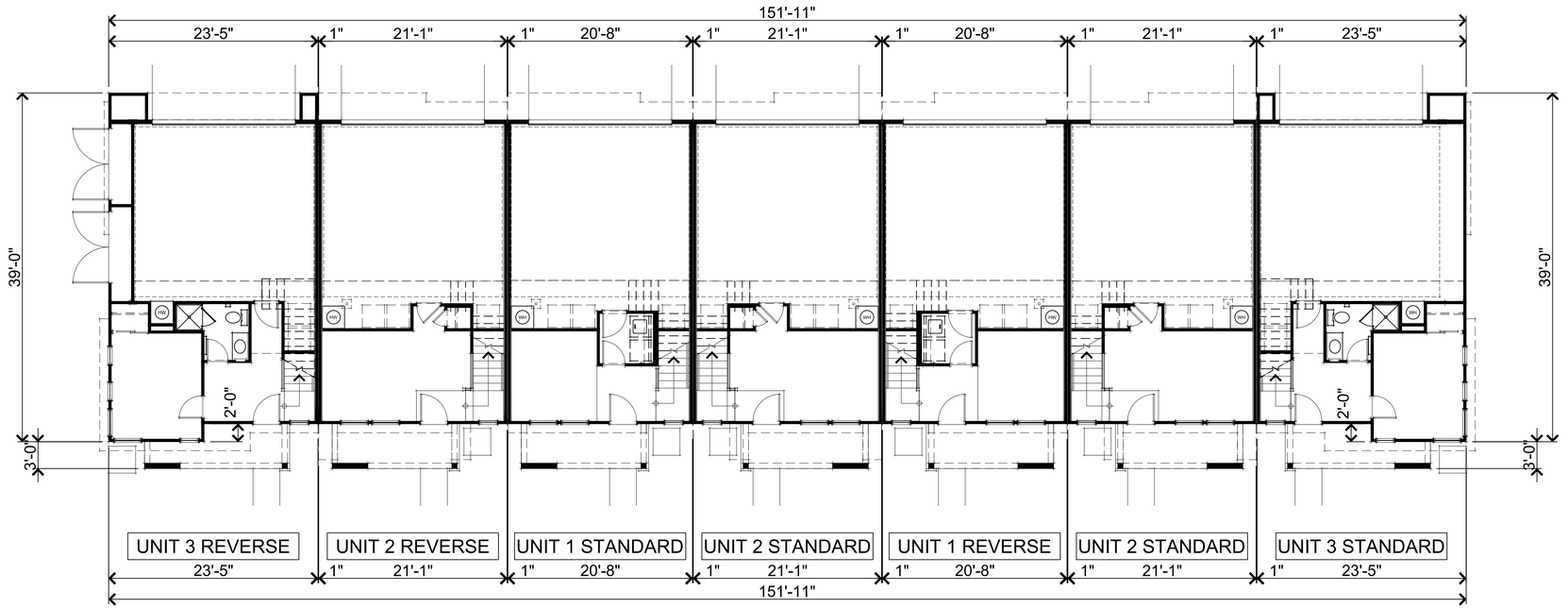
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Exhibit E



SECOND FLOOR PLAN



* UTILITIES MAY VARY BASED ON LOCATION ON SITE

FIRST FLOOR PLAN

0 2' 4' 6' 8' 16'

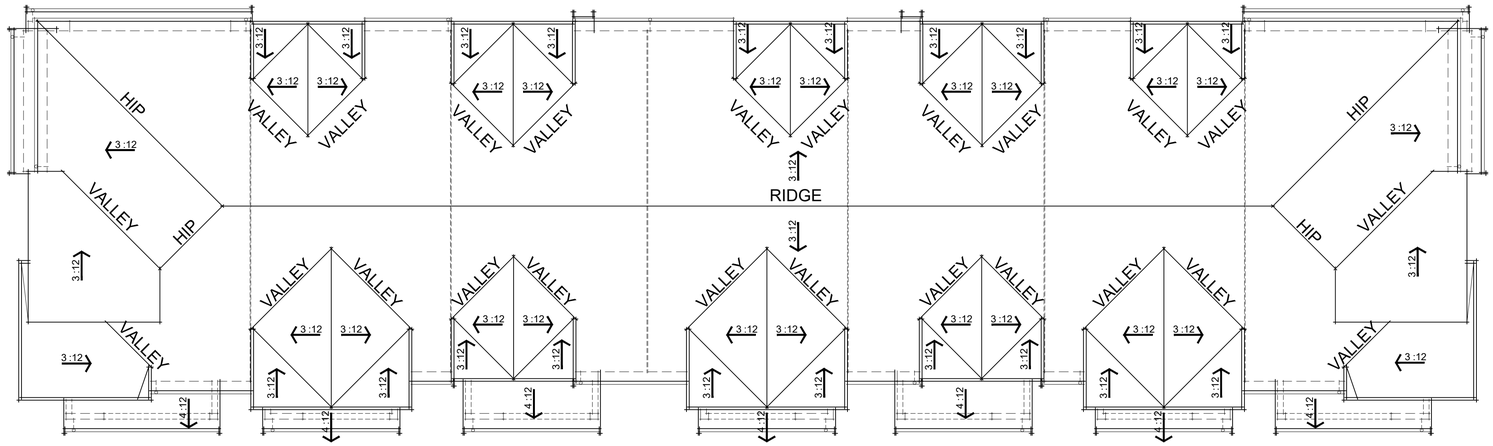
310.541 Soquel Avenue
Santa Cruz, CA
March 18, 2025

7-UNIT FIRST & SECOND FLOOR PLANS
A13

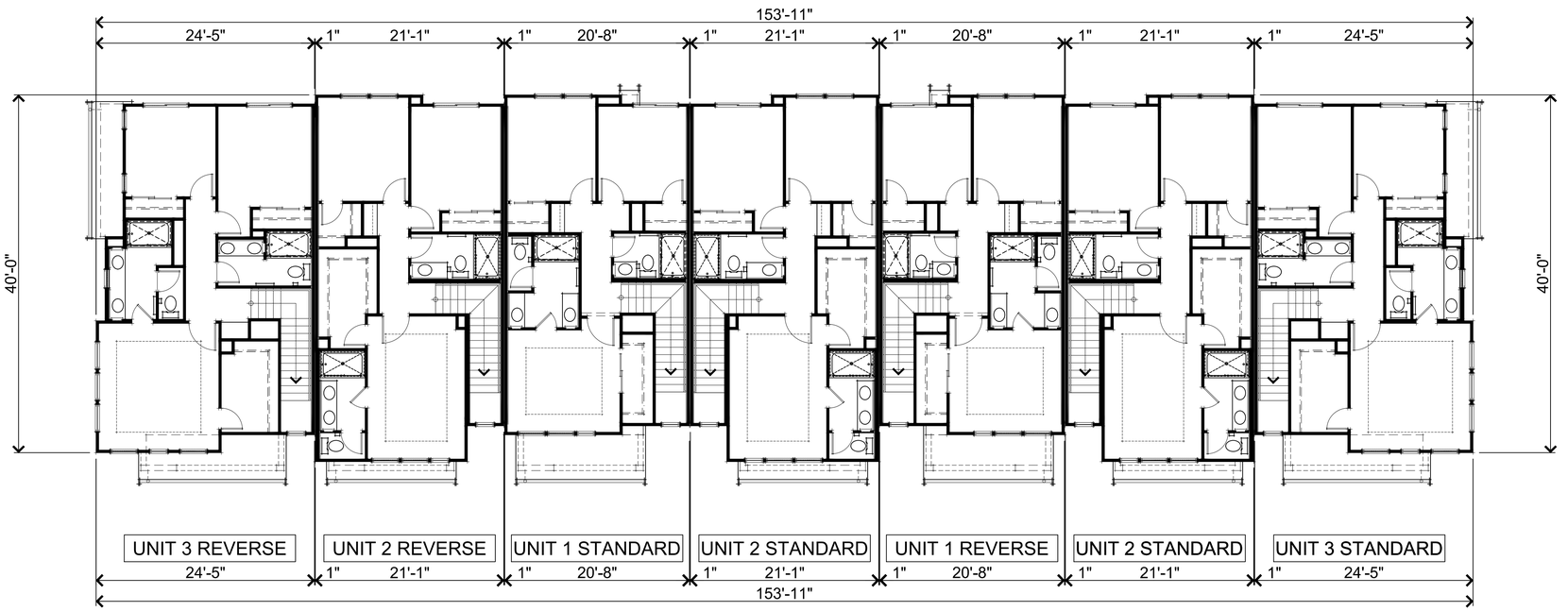
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Exhibit E



ROOF PLAN



THIRD FLOOR PLAN

0 2' 4' 6' 8' 16'

310.541 Soquel Avenue
Santa Cruz, CA
March 18, 2025

7-UNIT THIRD FLOOR PLAN & ROOF PLAN
A14

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Exhibit E



LEFT ELEVATION



RIGHT ELEVATION

TYPICAL EXTERIOR MATERIALS
① - EXTERIOR PLASTER, MEDIUM SAND FINISH
② - BOARD & BATTEN VERTICAL SIDING
③ - FIBER CEMENT HORIZONTAL SIDING
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⑥ - ARCHITECTURAL QUALITY COMPOSITION SHINGLE ROOFING



REAR ELEVATION



FRONT ELEVATION

0 2' 4' 6' 8' 16'

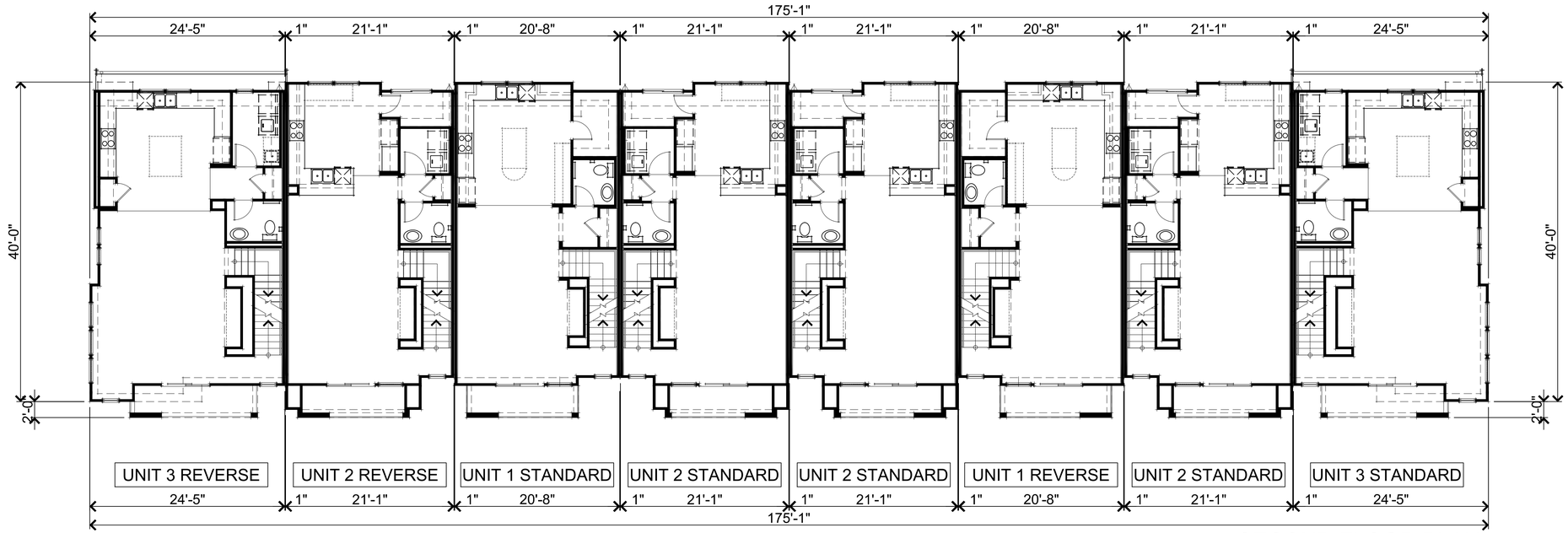
310.541 Soquel Avenue
Santa Cruz, CA
March 18, 2025

7-UNIT ELEVATIONS
A15

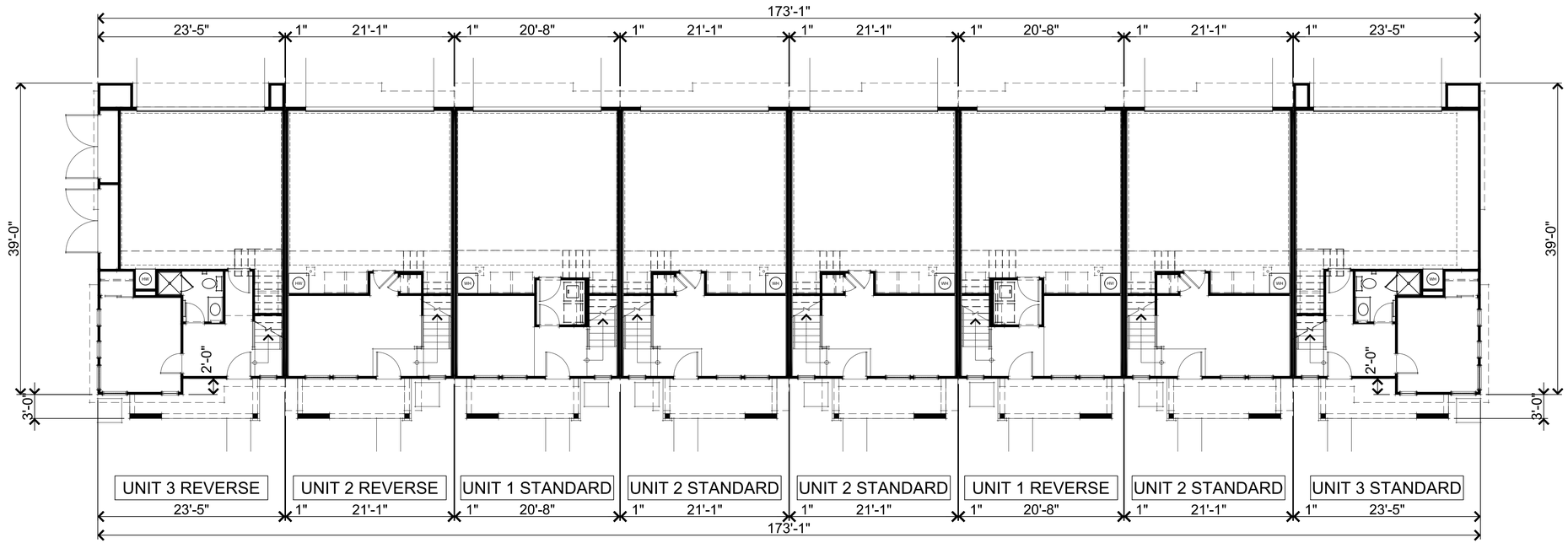
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Exhibit E



SECOND FLOOR PLAN



* UTILITIES MAY VARY BASED ON LOCATION ON SITE

FIRST FLOOR PLAN

0 2' 4' 6' 8' 16'

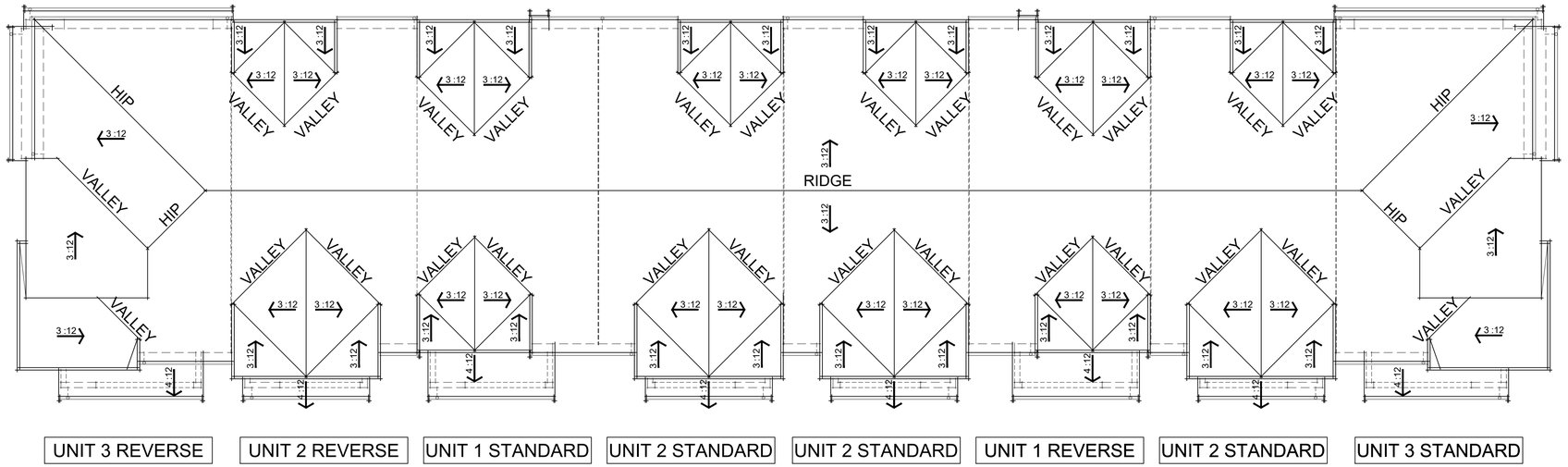
310.541 Soquel Avenue
Santa Cruz, CA
March 18, 2025

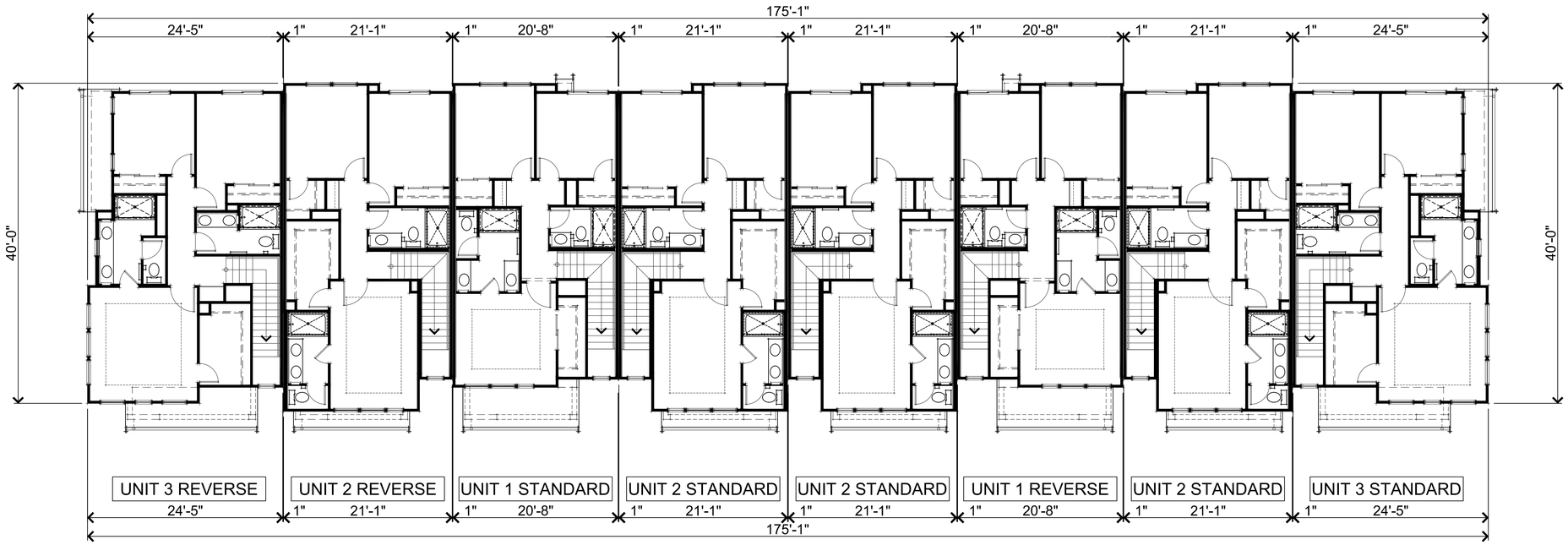
8-UNIT FIRST & SECOND FLOOR PLANS
A16

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Exhibit E





ROOF PLAN

THIRD FLOOR PLAN

0 2' 4' 6' 8' 16'

310.541 Soquel Avenue
Santa Cruz, CA
March 18, 2025

8-UNIT THIRD FLOOR PLAN & ROOF PLAN
A17

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Exhibit E



LEFT ELEVATION



RIGHT ELEVATION

TYPICAL EXTERIOR MATERIALS

① - EXTERIOR PLASTER, MEDIUM SAND FINISH
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⑥ - ARCHITECTURAL QUALITY COMPOSITION SHINGLE ROOFING



REAR ELEVATION



FRONT ELEVATION

0 2' 4' 6' 8' 16'

310.541 Soquel Avenue
Santa Cruz, CA
March 18, 2025

8-UNIT ELEVATIONS
A18

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Exhibit E

COLOR SCHEME 1



GAF Roofing
Slate

Stucco
SW 9165 Gossamer Veil

Horizontal Siding
SW 7639 Ethereal Mood

Vertical Siding
SW 9083 Dusted Truffle

Fascia / Railing & Garage Door
SW 7019 Gauntlet Gray

Entry Door / Accent
SW 7048 Urbane Bronze

COLOR SCHEME 2



GAF Roofing
Slate

Stucco
SW 9165 Gossamer Veil

Horizontal Siding
SW 7067 Cityscape

Vertical Siding
SW 6178 Clary Sage

Fascia / Railing & Garage Door
SW 7019 Gauntlet Gray

Entry Door / Accent
SW 2740 Mineral Gray

COLOR SCHEME 3



GAF Roofing
Slate

Stucco
SW 9165 Gossamer Veil

Horizontal Siding
SW 7644 Gateway Gray

Vertical Siding
SW 9152 Let it Rain

Fascia / Railing & Garage Door
SW 7019 Gauntlet Gray

Entry Door / Accent
SW 7645 Thunder Gray

310.541 Soquel Avenue
Santa Cruz, CA
March 18, 2025

COLOR & MATERIALS
A19

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Exhibit E



DECEMBER 21, 10 AM



DECEMBER 21, 2 PM

NORTH

0 10' 20' 30' 40' 50' 100'

310.541 Soquel Avenue
Santa Cruz, CA
March 18, 2025

SHADOW STUDY
A20

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5000 Executive Parkway, San Ramon, CA 94583
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Exhibit E



JUNE 21, 10 AM



JUNE 21, 2 PM

NORTH

0 10' 20' 30' 40' 50' 100'

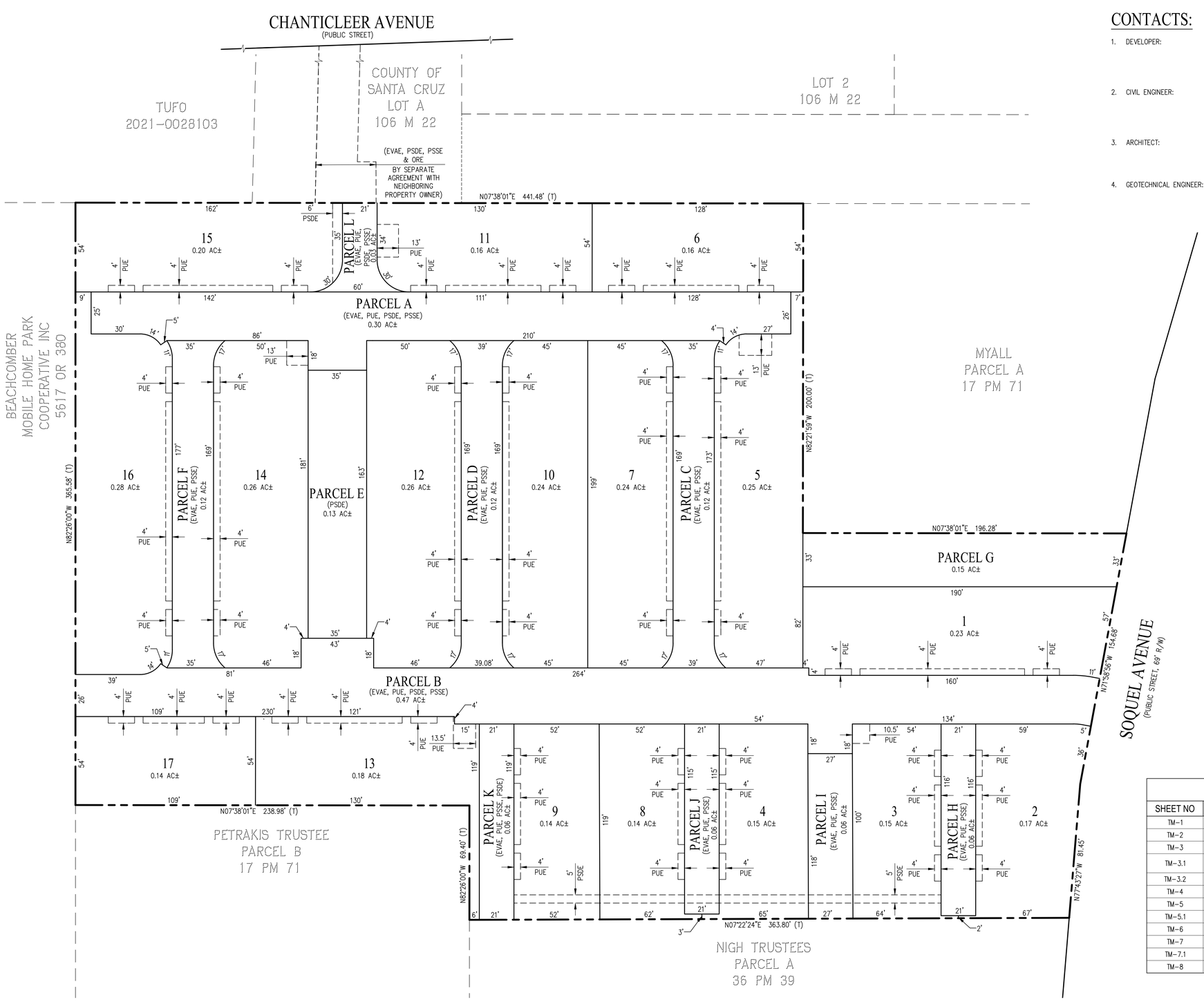
310.541 Soquel Avenue
Santa Cruz, CA
December 2, 2025

SHADOW STUDY
A21

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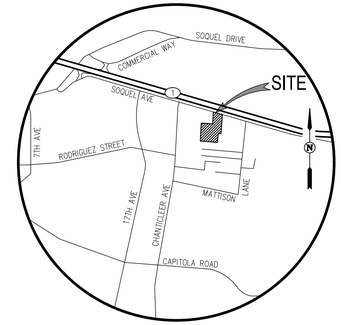
CONTACTS:

1. DEVELOPER: KB HOME NORTHERN CALIFORNIA
5000 EXECUTIVE PARKWAY, SUITE 125
SAN RAMON, CA 94583
(650) 288-5970
BLAKE PETERS

2. CIVIL ENGINEER: CARLSON, BARBEE & GIBSON, INC.
2633 CAMINO RAMON, SUITE 350
SAN RAMON, CA 94583
(925) 866-0322
RYAN HANSEN, P.E.

3. ARCHITECT: SDG ARCHITECTS
3361 WALNUT BLVD, SUITE 120
BRENTWOOD, CA 94513
(925) 216-5555

4. GEOTECHNICAL ENGINEER: CORNERSTONE EARTH GROUP, INC.
1259 OAKMEAD PARKWAY
SUNYVALE, CA 94085
(408) 245-4600



VICINITY MAP
NOT TO SCALE

GENERAL NOTES:

1. ASSESSORS PARCEL NUMBER: 029-021-047
2. SANTA CRUZ COUNTY TRACT#: 1623
3. GROSS SITE AREA: 4.97 AC±
4. NET SITE AREA: 2.09 AC± (LESS ALL PRIVATE RIGHT OF WAYS)
5. FLOOR AREA RATIO (F.A.R.): 0.87
6. LOT COVERAGE: 24.6% (EXCLUDES PORCHES, 225 SF GARAGE/UNIT)
7. MAX PROPOSED BUILDING HEIGHT: 35'
8. EXISTING ZONING: MULTI-FAMILY RESIDENTIAL (RM-2-R)
PROPOSED ZONING: MULTI-FAMILY RESIDENTIAL (RM-2-R)
9. NUMBER OF RESIDENTIAL UNITS: 100 MULTI-FAMILY CONDOMINIUM UNITS (ATTACHED)
10. GROSS DENSITY: 20.1 DU/AC
11. LOT/PARCEL INFORMATION
PROPOSED NUMBER OF LOTS: 17
AVERAGE LOT SIZE: 0.19 AC±
MINIMUM LOT SIZE: 0.14 AC± (LOTS 8, 9, 17)
PROPOSED NUMBER OF PARCELS: 12
AVERAGE PARCEL SIZE: 0.14 AC±
MINIMUM PARCEL SIZE: 0.03 AC± (PARCEL L)
12. EXISTING STRUCTURES: ALL EXISTING ONSITE STRUCTURES TO BE REMOVED.
13. EXISTING UTILITIES: ALL EXISTING ONSITE UTILITIES TO BE REMOVED UNLESS OTHERWISE NOTED.
14. UTILITIES
WATER: CITY OF SANTA CRUZ WATER DEPARTMENT
SANITARY SEWER: SANTA CRUZ COUNTY SANITATION DISTRICT
STORM DRAIN: SANTA CRUZ COUNTY
GAS AND ELECTRIC: PG&E
15. FLOOD ZONE: ZONE X; AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. (FEMA MAP NUMBER: 06087C0351E, DATED MAY 16, 2012)
16. CONDOMINIUM MAP: A CONDOMINIUM MAP WILL BE RECORDED FOR LOTS 1-17 & PARCELS A-L AND THE SUBDIVISION IS A CONDOMINIUM PROJECT AS DEFINED IN SECTIONS 4125 AND 4285 ET. SE1. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF CONDOMINIUM DWELLING UNITS SHALL BE NO MORE THAN 100 RESIDENTIAL UNITS.

SHEET INDEX

SHEET NO	DESCRIPTION
TM-1	VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES
TM-2	EXISTING SITE PLAN
TM-3	PROPOSED SITE PLAN
TM-3.1	PROPOSED SITE PLAN CROSS SECTIONS & TYPICAL STREET SECTIONS
TM-3.2	PROPOSED SITE PLAN IMPERVIOUS SURFACING
TM-4	PRELIMINARY GRADING PLAN
TM-5	PRELIMINARY UTILITY PLAN
TM-5.1	PRELIMINARY SOQUEL AVENUE STORM DRAIN IMPROVEMENTS
TM-6	PRELIMINARY STORMWATER MANAGEMENT PLAN
TM-7	STORMWATER POLLUTION CONTROL PLAN
TM-7.1	STORMWATER POLLUTION CONTROL PLAN NOTES & DETAILS
TM-8	FIRE ACCESS PLAN

LEGEND

- EXISTING BOUNDARY
- EXISTING ADJOINER
- RIGHT OF WAY LINE
- EASEMENT

ABBREVIATIONS

EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
ORE	OVERLAND RELEASE EASEMENT
PSDE	PRIVATE STORM DRAIN EASEMENT
PSSE	PRIVATE SANITARY SEWER EASEMENT
PUE	PUBLIC UTILITY EASEMENT
R/W	RIGHT OF WAY

3903-000

5940 Soquel Avenue
Santa Cruz, CA
July 11, 2025

APN: 029-021-047
VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES
TM-1

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650.288.5970

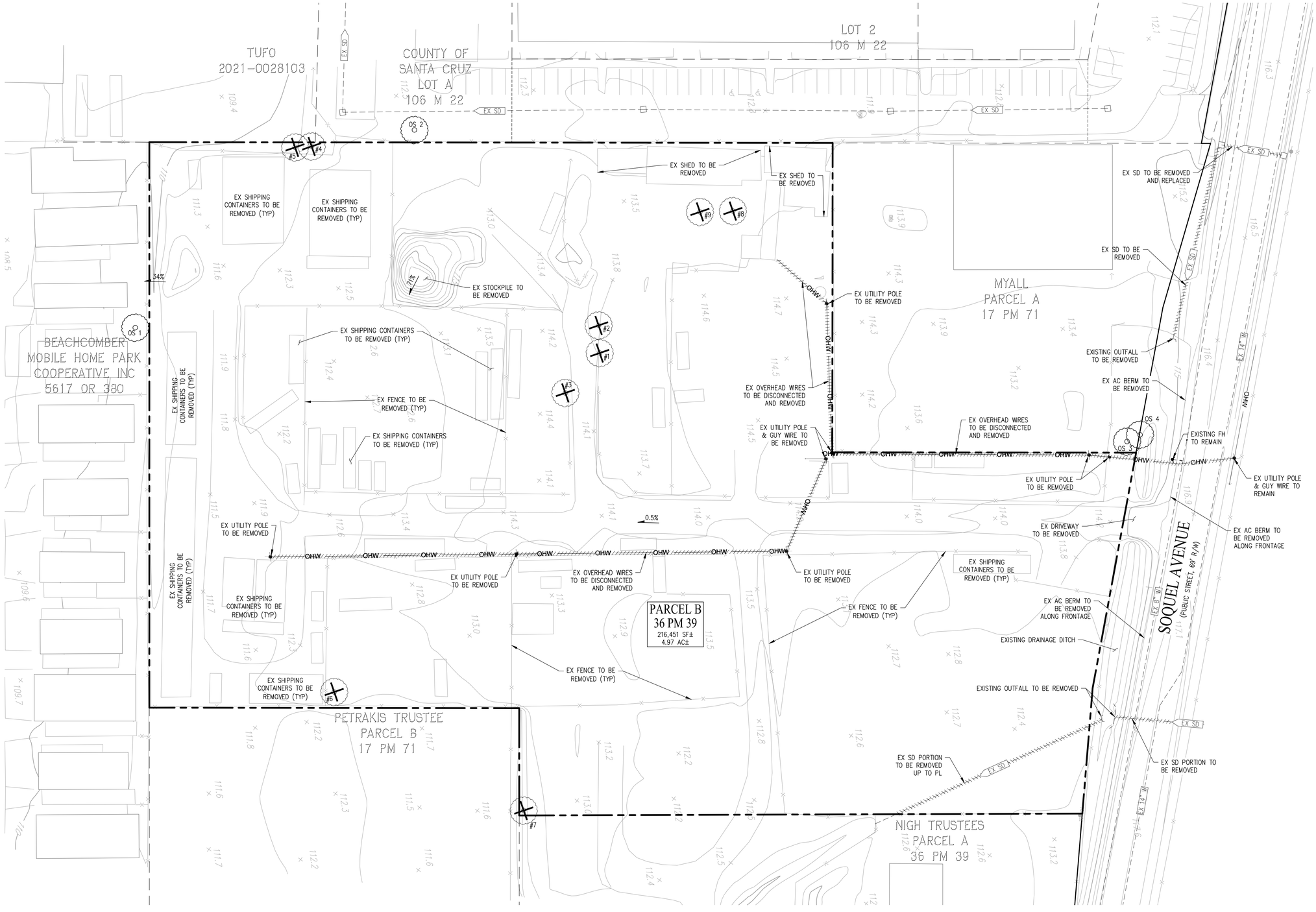
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0 30 60 90

REGISTERED PROFESSIONAL ENGINEER RYAN T. HANSEN 80557 CIVIL STATE OF CALIFORNIA

CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON · ROSEVILLE

Exhibit E



LEGEND

- EXISTING BOUNDARY
- RIGHT OF WAY
- 100 EXISTING CONTOUR
- OHW EXISTING OVERHEAD WIRES
- OHW EXISTING OVERHEAD WIRES TO BE REMOVED
- EX SD EXISTING STORM DRAIN
- EX SD EXISTING STORM DRAIN TO BE REMOVED
- EX 8" W EXISTING WATER MAIN
- EXISTING STORM DRAIN HEADWALL
- EXISTING FIELD INLET
- EXISTING FIRE HYDRANT
- EXISTING FENCE
- EXISTING TREE TO BE REMOVED
- EXISTING TREE TO REMAIN

ABBREVIATIONS

AC	ACRE
EX	EXISTING
FH	FIRE HYDRANT
R/W	RIGHT OF WAY
SD	STORM DRAIN
SF	SQUARE FEET
TYP	TYPICAL
W	WATER

ONSITE TREE SUMMARY

TREE #	COMMON NAME	DIAMETER (BREAST HEIGHT)(INCHES)
1	SILVER WATTLE	20
2	SILVER WATTLE	MULTI (8.2, 9.3, 5.3)
3	RED MAPLE	5
4	RIVER RED GUM	10.7
5	RIVER RED GUM	MULTI (19, 11)
6	COAST LIVE OAK	NOT ACCESSIBLE
7	BLACKWOOD ACACIA	9
8	RAYWOOD ASH	NOT ACCESSIBLE
9	RAYWOOD ASH	NOT ACCESSIBLE

OFFSITE TREE SUMMARY

TREE #	COMMON NAME	DIAMETER BREAST HEIGHT (INCHES)
OS 1	COAST REDWOOD	UNKNOWN
OS 2	LONDON PLANE	UNKOWN
OS 3	MONTEREY PINE	37.7
OS 4	MONTEREY PINE	41.1

NOTES:

1) ENTIRE SITE TO BE CLEARED; ALL EXISTING STRUCTURES, TREES, DEBRIS, AND UTILITIES TO BE REMOVED.

2) AVERAGE SITE SLOPE: 0.50%±
MAXIMUM SITE SLOPE: 71%±

MAXIMUM SITE SLOPE IS LOCALIZED TO EXISTING STOCKPILE AND NOT REFLECTIVE OF SITE CONDITIONS.

3) REFER TO ARBORIST REPORT BY HMH, DATED NOVEMBER 12, 2024 FOR TREE DATA.

4) REFER TO GEOTECHNICAL FEASIBILITY REVIEW BY CORNERSTONE EARTH GROUP, DATED MARCH 29, 2024 FOR SOILS DATA.

3903-000

5940 Soquel Avenue
Santa Cruz, CA
July 11, 2025

APN: 029-021-047
EXISTING SITE PLAN
TM-2

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650.288.5970

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RYAN T. HANSEN 80557 CIVIL STATE OF CALIFORNIA REGISTERED PROFESSIONAL ENGINEER

CIVIL ENGINEERS
SURVEYORS
PLANNERS
SAN RAMON · ROSEVILLE

0 30 60 90

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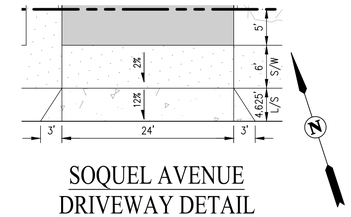


LEGEND

- EXISTING BOUNDARY
- RIGHT OF WAY
- PROPOSED CONCRETE SIDEWALK
- BLDG 1 — BUILDING NUMBER
- 1 — UNIT NUMBER
- CURB RAMP
- ACCESSIBLE PARKING STALL
- C — COMPACT PARKING STALL
- ASPHALT CONCRETE PAVEMENT
- DRIVEWAY CONCRETE
- DECORATIVE CONCRETE (SEE LANDSCAPE PLANS)
- DECOMPOSED GRANITE (SEE LANDSCAPE PLANS)
- UNIT 1 (MODERATE INCOME)
- UNIT 2 (MODERATE INCOME)
- UNIT 3 (MODERATE INCOME)

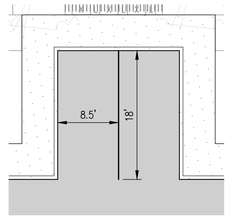
ABBREVIATIONS

AC	AIR CONDITIONER
BLDG	RIGHT OF WAY
C	COMPACT
D/W	DRIVEWAY
EX	EXISTING
FC	FACE OF CURB
L/S	LANDSCAPE
R/W	RIGHT OF WAY
S/W	SIDEWALK
TC	TOP OF CURB
TRC	TOP OF ROLLED CURB



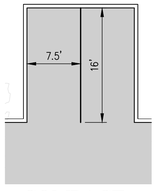
SOQUEL AVENUE DRIVEWAY DETAIL

SCALE: 1" = 10'



STANDARD PARKING DETAIL

SCALE: 1" = 10'



COMPACT PARKING DETAIL

SCALE: 1" = 10'

TOWNHOME UNIT SUMMARY

NEW UNIT NAME	DESCRIPTION	GARAGE SF (1,000 SF MAX)	GARAGE TYPE	QUANTITY	%	UNIT NET SF*	UNIT GROSS SF***	TOTAL NET SF*	TOTAL UNIT GROSS SF**
UNIT 1	3 BEDROOM + 3 BATH	473	STD 2-CAR	19	19.0	1,735	2,208	32,965	41,952
UNIT 2	3 BEDROOM + 2.5 BATH	472	STD 2-CAR	47	47.0	1,823	2,295	85,681	107,865
UNIT 3	3 BEDROOM + 3 BATH	496	STD 2-CAR	34	34.0	2,072	2,568	70,448	87,312
SUBTOTAL				100	100.0			189,094	237,129
AVG. UNIT SQUARE FOOTAGE								1,891	2,371

NOTE: SEE ARCHITECTURE PLANS FOR DETAILS.

BELOW MARKET RATE HOMES

	UNIT	INCOME LEVEL	QUANTITY	PERCENTAGE OF TOTAL UNITS (%)
	UNIT 1	MODERATE INCOME	6	6.0
	UNIT 2	MODERATE INCOME	6	6.0
	UNIT 3	MODERATE INCOME	3	3.0
	TOTAL		15	15.0

NOTE: SEE SITE PLAN ABOVE FOR PRELIMINARY LOCATION OF BELOW MARKET RATE HOMES.

GUEST PARKING SUMMARY

STALL COUNT	
STANDARD PARKING	12
COMPACT PARKING	2
ACCESSIBLE PARKING (5% OF TOTAL)	1
TOTAL	15

3903-000

5940 Soquel Avenue

Santa Cruz, CA

July 11, 2025

APN: 029-021-047

PROPOSED SITE PLAN

TM-3

KB Home

5000 Executive Parkway, Suite 125, San Ramon, CA 94583

650.288.5970

SDG Architects, Inc.

3361 Walnut Blvd. Suite 120

Brentwood, CA 94513

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0 30 60 90

REGISTERED PROFESSIONAL ENGINEER RYAN T. HANSEN 80557 CIVIL STATE OF CALIFORNIA

CIVIL ENGINEERS SURVEYORS PLANNERS

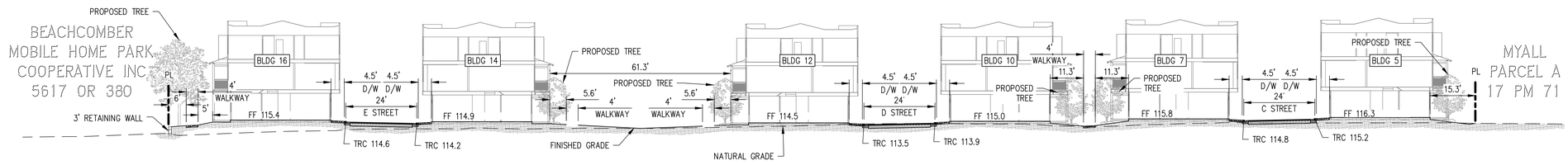
SAN RAMON · ROSEVILLE

Exhibit E



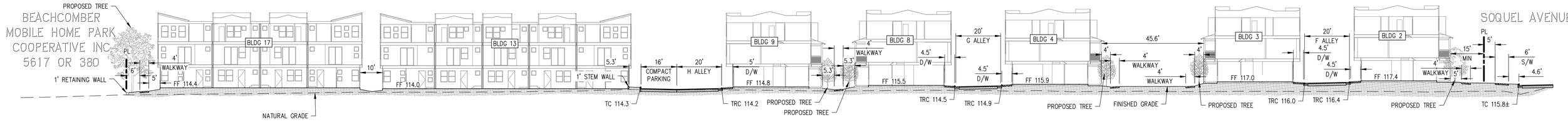
SECTION A-A

SCALE: 1" = 20'



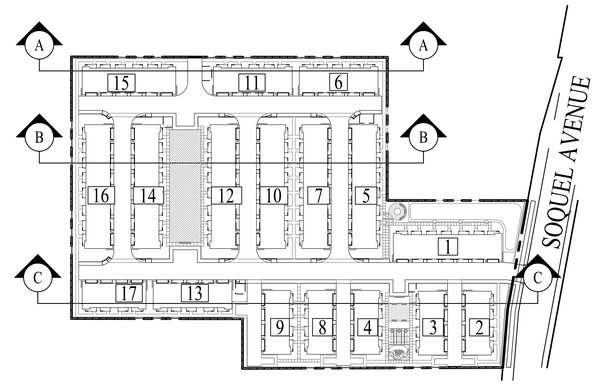
SECTION B-B

SCALE: 1" = 20'



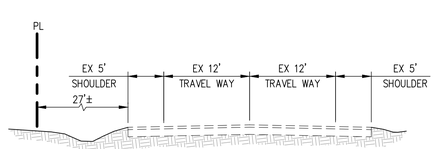
SECTION C-C

SCALE: 1" = 20'



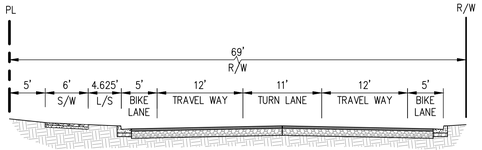
KEYMAP

NOT TO SCALE



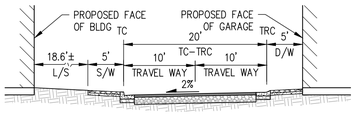
EXISTING SOQUEL AVENUE SECTION

NOT TO SCALE



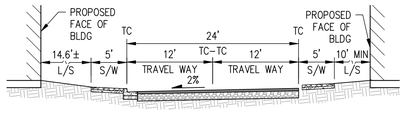
PROPOSED SOQUEL AVENUE SECTION

NOT TO SCALE



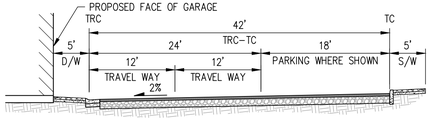
20' WIDE 'A' STREET SECTION

NOT TO SCALE



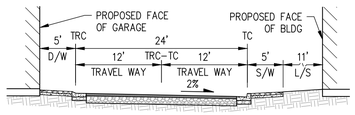
24' WIDE 'A' STREET SECTION

NOT TO SCALE



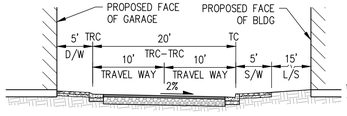
24' WIDE 'A' STREET SECTION W/ PARKING

NOT TO SCALE



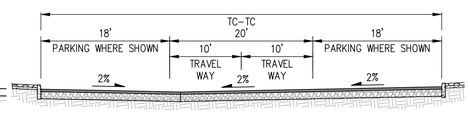
24' WIDE 'B' STREET SECTION

NOT TO SCALE



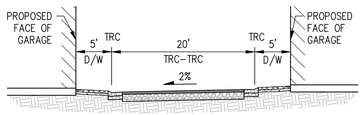
20' WIDE 'B' STREET SECTION

NOT TO SCALE



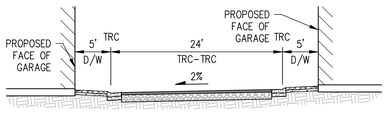
TYPICAL 20' WIDE ALLEY PARKING SECTION

NOT TO SCALE



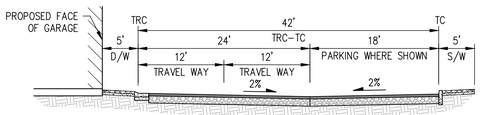
TYPICAL 20' WIDE ALLEY SECTION

NOT TO SCALE



TYPICAL 24' WIDE STREET SECTION

NOT TO SCALE



'B' STREET SECTION W/ PARKING

NOT TO SCALE

APN: 029-021-047

PROPOSED SITE PLAN CROSS SECTIONS & TYPICAL STREET SECTIONS

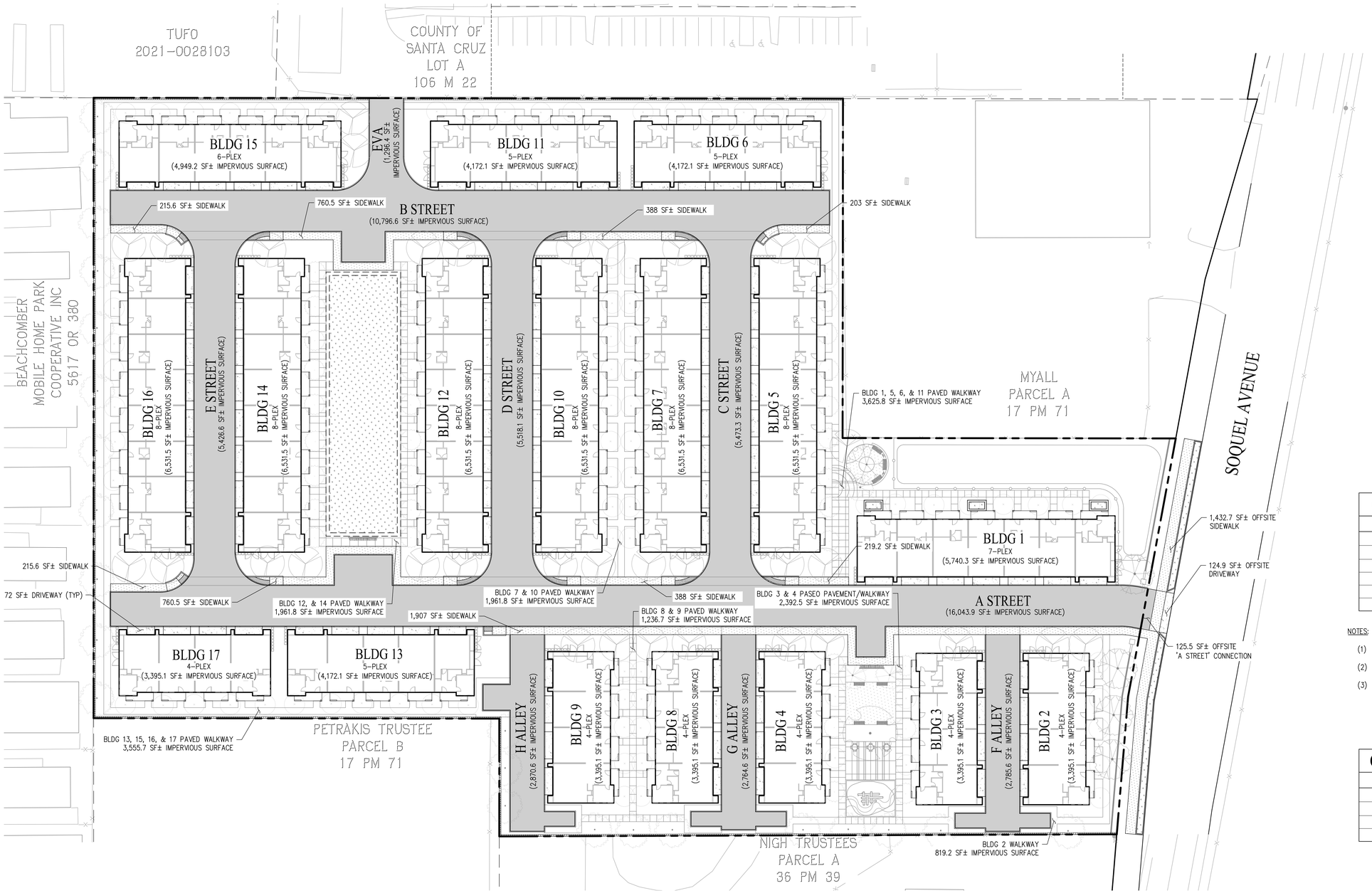
TM-3.1

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CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON • ROSEVILLE

Exhibit E



LEGEND

- EXISTING BOUNDARY
- RIGHT OF WAY
- PROPOSED CONCRETE SIDEWALK
- BLDG 1 — BUILDING NUMBER
- 1 — UNIT NUMBER
- CURB RAMP
- C — ACCESSIBLE PARKING STALL
- COMPACT PARKING STALL
- ASPHALT CONCRETE PAVEMENT
- DRIVEWAY CONCRETE
- DECORATIVE CONCRETE (SEE LANDSCAPE PLANS)
- DECOMPOSED GRANITE (SEE LANDSCAPE PLANS)

ONSITE IMPERVIOUS AREA SUMMARY

DESCRIPTION	AREA (SF)
BUILDING FOOTPRINTS	82,765.4
DRIVEWAYS	7,200.0
STREETS(1)	52975.7
PASEOS & WALKWAYS(2)	15,553.5
SIDEWALKS(3)	5,057.4
TOTAL	163,552.0

NOTES:

(1) STREET IMPERVIOUS SURFACE IS MEASURED FROM BACK OF CURB TO BACK OF CURB.

(2) SEE LANDSCAPE PLANS.

(3) SIDEWALK AREAS INCLUDE CURB RAMPS AND RETAINING CURBS.

OFFSITE IMPERVIOUS AREA SUMMARY

DESCRIPTION	AREA (SF)
DRIVEWAY	124.9
STREET	125.5
SIDEWALK	1,432.7
TOTAL	1,683.1

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July 11, 2025

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PROPOSED SITE PLAN IMPERVIOUS SURFACING
TM-3.2

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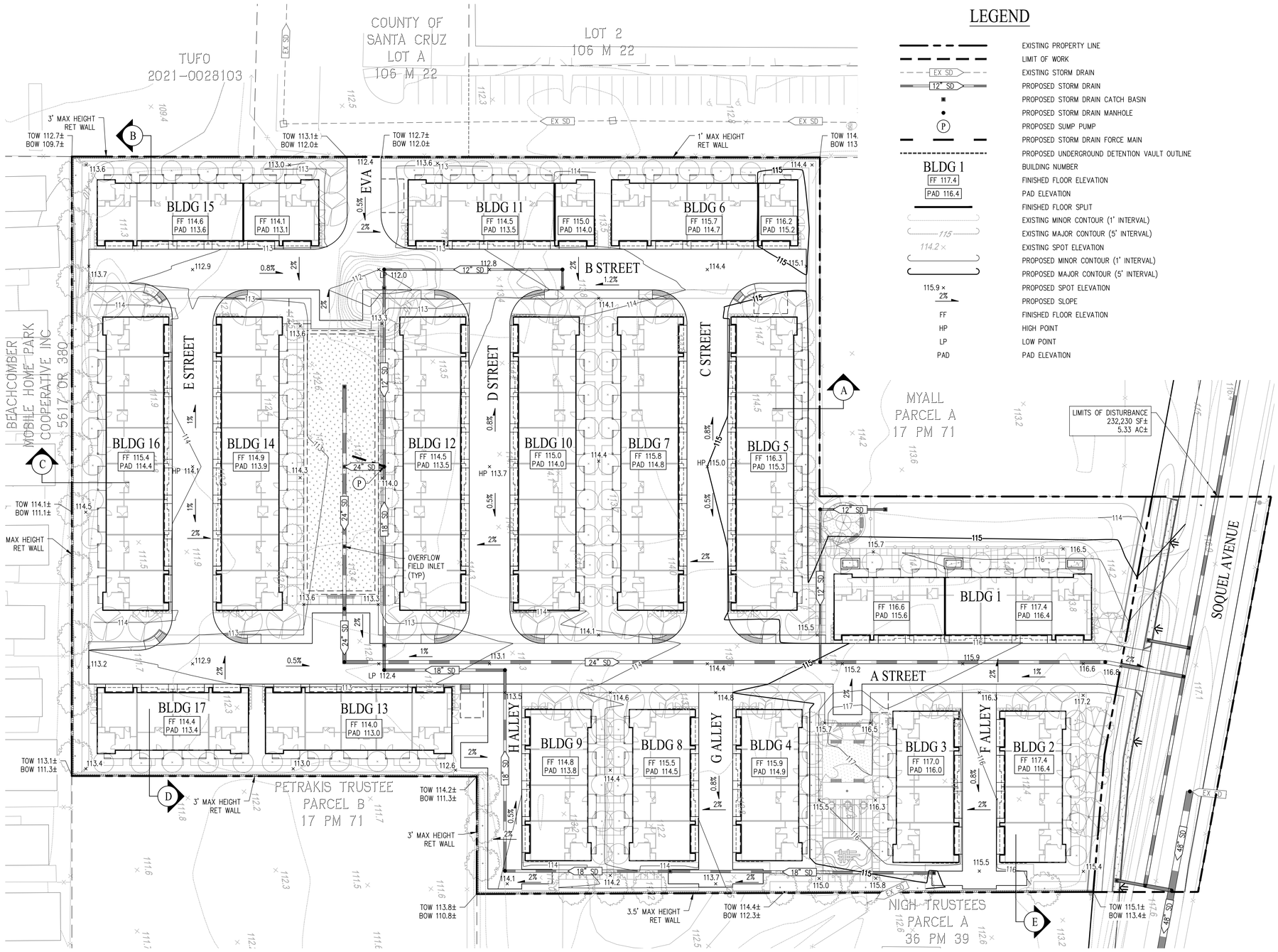
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0 30 60 90

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CIVIL ENGINEERS SURVEYORS PLANNERS
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Exhibit E



LEGEND

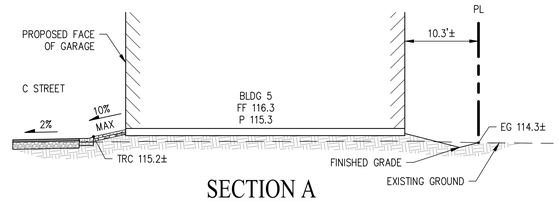
	EXISTING PROPERTY LINE
	LIMIT OF WORK
EX SD	EXISTING STORM DRAIN
12" SD	PROPOSED STORM DRAIN
■	PROPOSED STORM DRAIN CATCH BASIN
●	PROPOSED STORM DRAIN MANHOLE
P	PROPOSED SUMP PUMP
	PROPOSED STORM DRAIN FORCE MAIN
	PROPOSED UNDERGROUND DETENTION VAULT OUTLINE
BLDG 1 FF 117.4 PAD 116.4	BUILDING NUMBER
FF	FINISHED FLOOR ELEVATION
PAD	PAD ELEVATION
	FINISHED FLOOR SPLIT
115	EXISTING MINOR CONTOUR (1' INTERVAL)
115	EXISTING MAJOR CONTOUR (5' INTERVAL)
114.2×	EXISTING SPOT ELEVATION
	PROPOSED MINOR CONTOUR (1' INTERVAL)
	PROPOSED MAJOR CONTOUR (5' INTERVAL)
115.9 × 2%	PROPOSED SPOT ELEVATION
	PROPOSED SLOPE
FF	FINISHED FLOOR ELEVATION
HP	HIGH POINT
LP	LOW POINT
PAD	PAD ELEVATION

EARTHWORK SUMMARY

DESCRIPTION	CUT (CY)	FILL (CY)	NET (CY)
ROUGH GRADING	1,700	8,600	6,900 (F)
SUBTOTAL (ROUGH GRADE)	1,700	8,600	6,900 (F)
EARTHWORK SPOILS			
UTILITY SPOILS	4,400	0	4,400 (C)
FOUNDATION AND GARAGE SPOILS$_2$	1,900	0	1,900 (C)
TOTAL	8,000	8,600	600 (F)

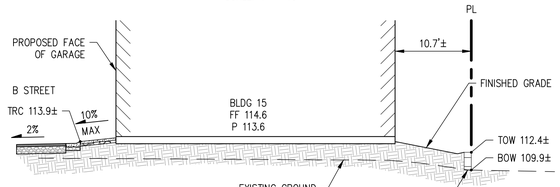
EARTHWORK SUMMARY NOTES:

1. UTILITY TRENCHING EXCAVATION VOLUME PER SANTA CRUZ COUNTY DETAIL SS-2.
2. ASSUMED PERIMETER BUILDING FOUNDATION OF 12"X6" AND 12" GARAGE UNDERCUT.
3. ROUGH GRADING CUT AND FILL FACTORS ASSUMED TO BE 1.0.
4. CONTRACTOR TO VERIFY EARTHWORK QUANTITIES PRIOR TO BEGINNING CONSTRUCTION.
5. GEOTECHNICAL REMEDIAL GRADING IS NOT INCLUDED IN THESE QUANTITIES.



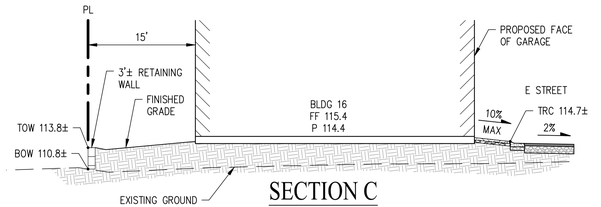
SECTION A

SCALE: 1" = 10'



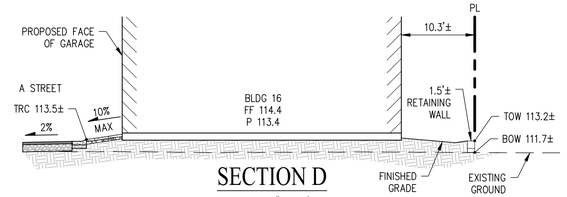
SECTION B

SCALE: 1" = 10'



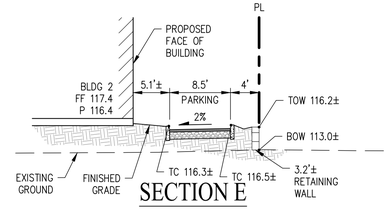
SECTION C

SCALE: 1" = 10'



SECTION D

SCALE: 1" = 10'



SECTION E

SCALE: 1" = 10'

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Santa Cruz, CA

July 11, 2025

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PRELIMINARY GRADING PLAN

TM-4

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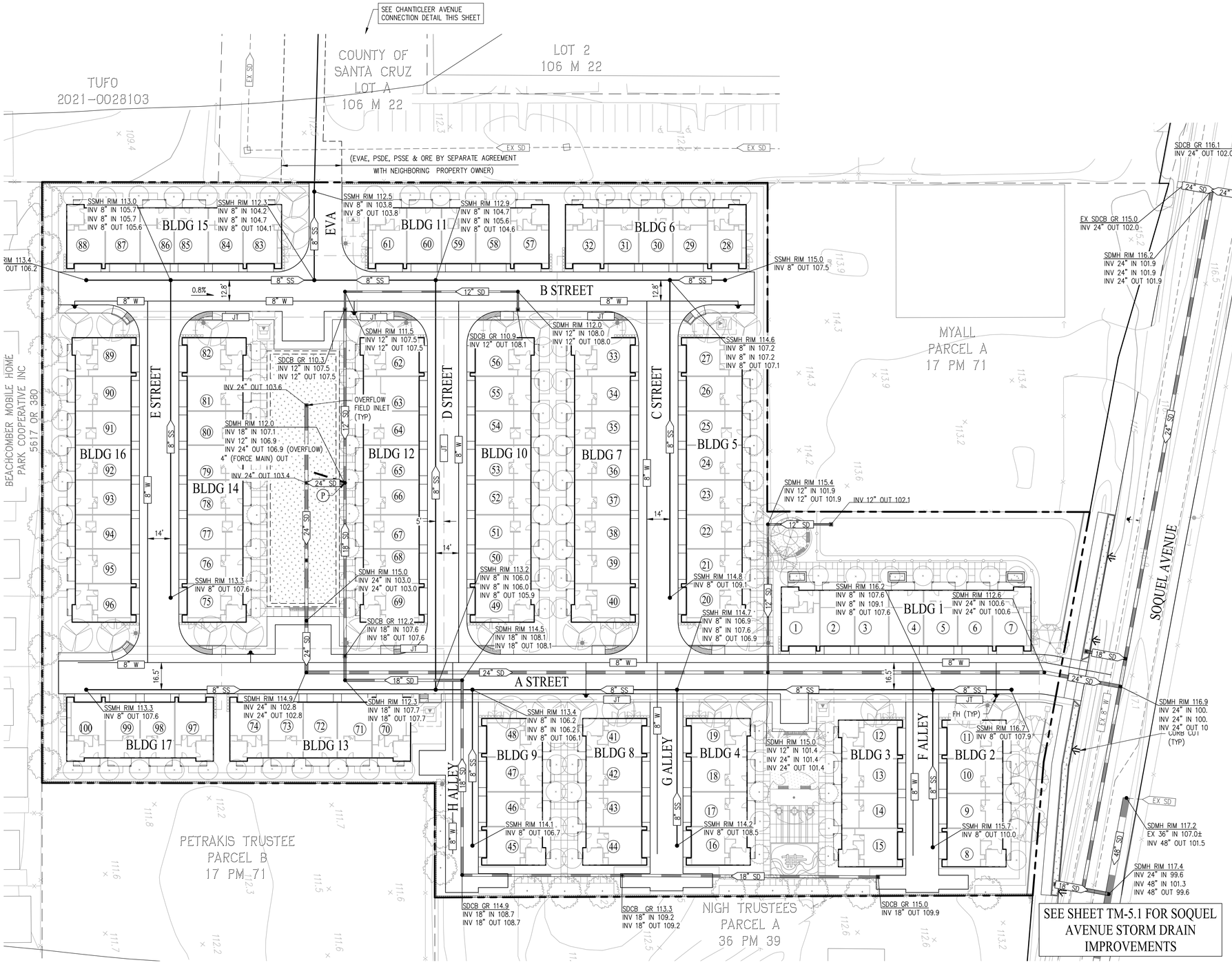
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CIVIL ENGINEERS SURVEYORS PLANNERS

SAN RAMON • ROSEVILLE

Exhibit E

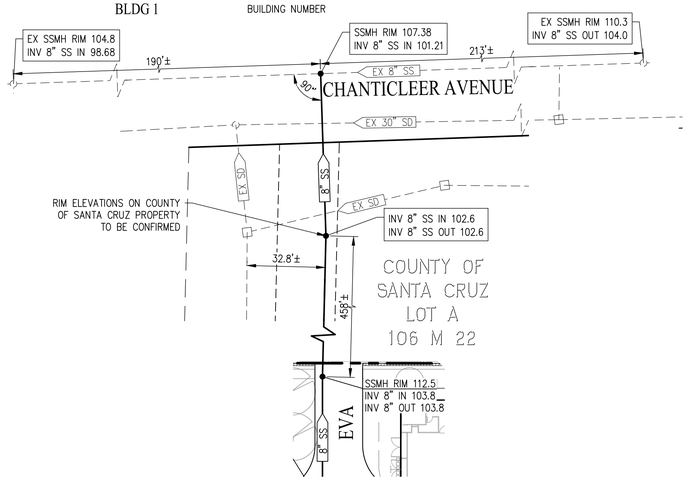


LEGEND

EX 8" SS	EXISTING SANITARY SEWER
EX 30" SD	EXISTING STORM DRAIN
EX 8" W	EXISTING WATER MAIN
OHW	EXISTING OVERHEAD WIRES
	EXISTING POWER POLE
	EXISTING GUY WIRE
	EXISTING SANITARY SEWER MANHOLE
	EXISTING STORM DRAIN CATCH BASIN
	EXISTING STORM DRAIN MANHOLE
8" SS	PROPOSED SANITARY SEWER
12" SD	PROPOSED STORM DRAIN
6" W	PROPOSED WATER MAIN
	PROPOSED SANITARY SEWER MANHOLE
	PROPOSED STORM DRAIN CATCH BASIN
	PROPOSED STORM DRAIN MANHOLE
P	PROPOSED SUMP PUMP
	PROPOSED STORM DRAIN FORCE MAIN
	PROPOSED UNDERGROUND DETENTION VAULT OUTLINE
	PROPOSED CURB CUT
1	UNIT NUMBER
BLDG 1	BUILDING NUMBER

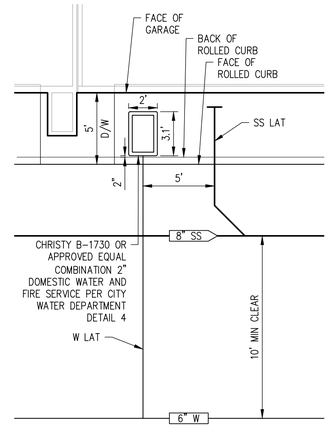
ABBREVIATIONS

EX	EXISTING
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
BLDG	BUILDING
FH	FIRE HYDRANT
JT	JOINT TRENCH
ORE	OVERLAND RELEASE EASEMENT
PSSE	PRIVATE SANITARY SEWER EASEMENT
PSDE	PRIVATE STORM DRAIN EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SD	STORM DRAIN
SS	SANITARY SEWER
W	WATER
WM	WATER METER



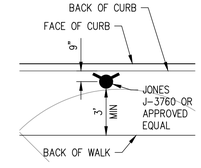
CHANTICLEER AVENUE SANITARY SEWER CONNECTION DETAIL

SCALE: 1" = 30'



TYPICAL BUILDING SERVICE LATERAL DETAIL

NOT TO SCALE



FIRE HYDRANT DETAIL

NOT TO SCALE

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July 11, 2025

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PRELIMINARY UTILITY PLAN

TM-5

KB Home

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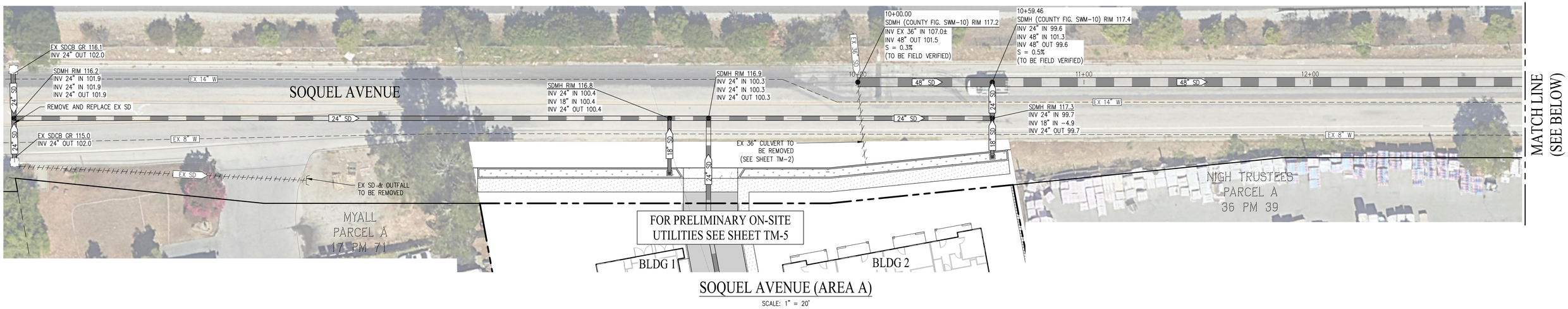
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CIVIL ENGINEERS SURVEYORS PLANNERS

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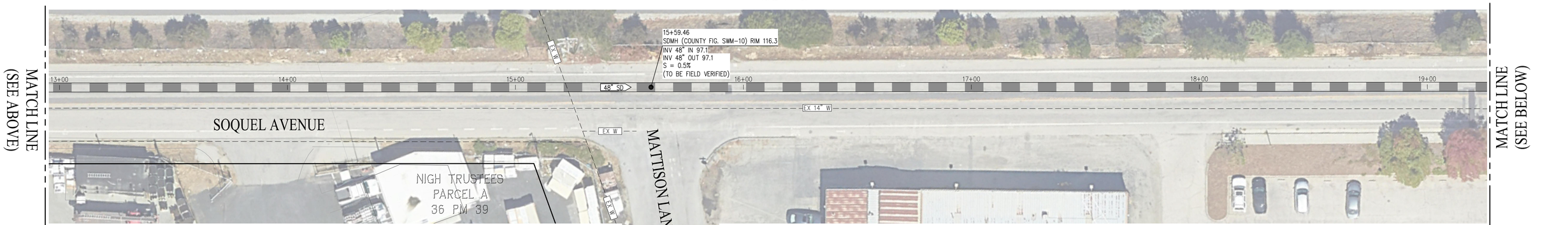
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Exhibit E



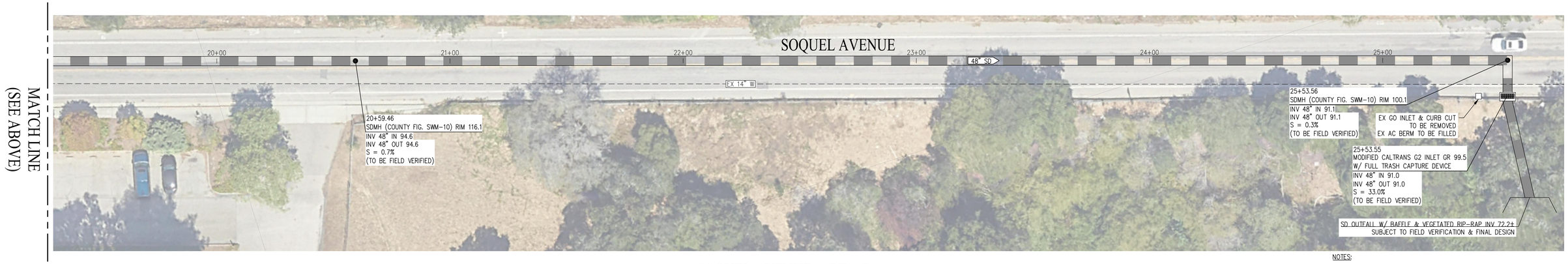
SOQUEL AVENUE (AREA A)

SCALE: 1" = 20'



SOQUEL AVENUE (AREA B)

SCALE: 1" = 20'



SOQUEL AVENUE (AREA C)

SCALE: 1" = 20'

NOTES:

1. ALL OFFSITE ELEVATIONS AND INVERTS ARE PRELIMINARY AND BASED ON BEST AVAILABLE DATA. SUBJECT TO FIELD VERIFICATION AND FINAL DESIGN.
2. ALIGNMENT TO BE FIELD VERIFIED; SUBJECT TO FINAL DESIGN.

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PRELIMINARY SOQUEL AVENUE STORM DRAIN IMPROVEMENTS

TM-5.1

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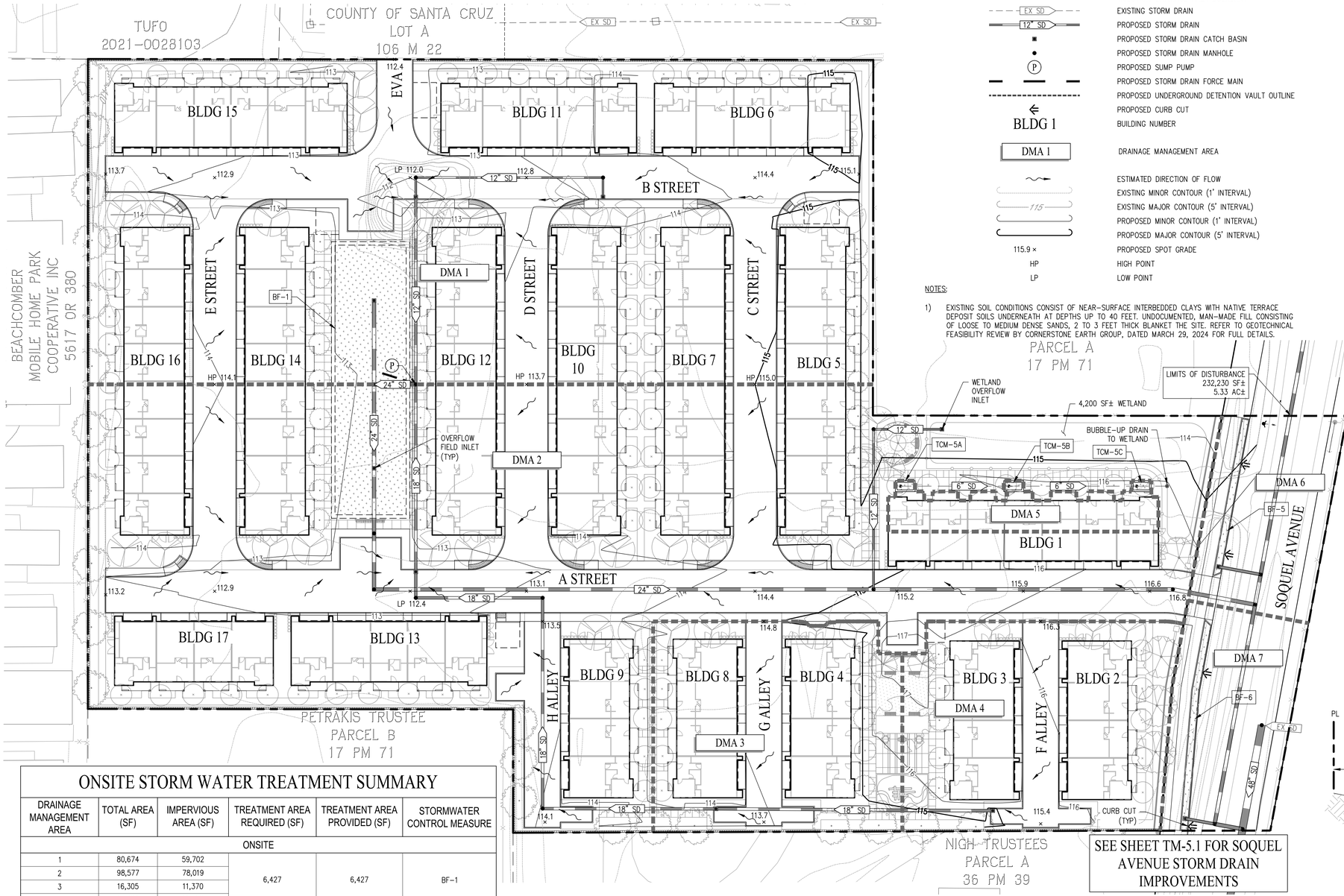
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Exhibit E

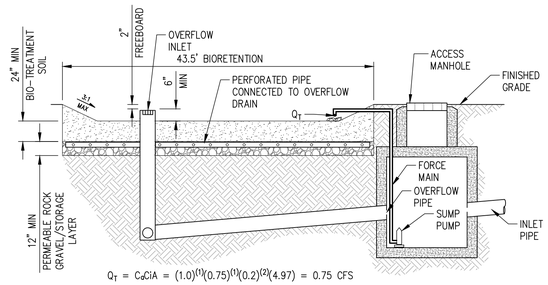


LEGEND

- SUBDIVISION BOUNDARY
- LIMIT OF DISTURBANCE
- TRIBUTARY DRAINAGE AREA BOUNDARY
- EX SD — EXISTING STORM DRAIN
- 12" SD — PROPOSED STORM DRAIN
- PROPOSED STORM DRAIN CATCH BASIN
- PROPOSED STORM DRAIN MANHOLE
- P — PROPOSED SUMP PUMP
- PROPOSED STORM DRAIN FORCE MAIN
- PROPOSED UNDERGROUND DETENTION VAULT OUTLINE
- PROPOSED CURB CUT
- BLDG 1 — BUILDING NUMBER
- DMA 1 — DRAINAGE MANAGEMENT AREA
- ESTIMATED DIRECTION OF FLOW
- EXISTING MINOR CONTOUR (1' INTERVAL)
- 115 — EXISTING MAJOR CONTOUR (5' INTERVAL)
- PROPOSED MINOR CONTOUR (1' INTERVAL)
- PROPOSED MAJOR CONTOUR (5' INTERVAL)
- 115.9 × — PROPOSED SPOT GRADE
- HP — HIGH POINT
- LP — LOW POINT

NOTES:

1) EXISTING SOIL CONDITIONS CONSIST OF NEAR-SURFACE INTERBEDDED CLAYS WITH NATIVE TERRACE DEPOSIT SOILS UNDERNEATH AT DEPTHS UP TO 40 FEET. UNDOCUMENTED, MAN-MADE FILL CONSISTING OF LOOSE TO MEDIUM DENSE SANDS, 2 TO 3 FEET THICK BLANKET THE SITE. REFER TO GEOTECHNICAL FEASIBILITY REVIEW BY CORNERSTONE EARTH GROUP, DATED MARCH 29, 2024 FOR FULL DETAILS.



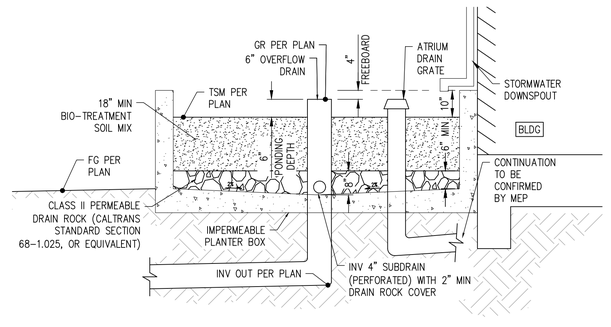
ONSITE STORMWATER BIOFILTRATION (BF-1)

NOT TO SCALE

NOTES:
(1) PER SANTA CRUZ COUNTY DESIGN CRITERIA, 2024 EDITION.
- ANTECEDENT MOISTURE FACTOR (C_6) = 1.0
- RUNOFF COEFFICIENT (C) = 0.75

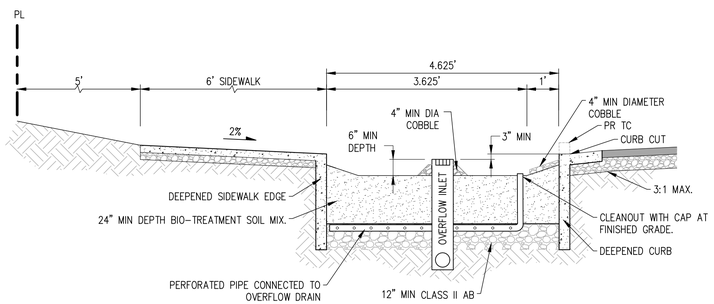
(2-10 YEAR RECURRENCE INTERVAL) (HIGH RESIDENTIAL, MULTIPLE FAMILY DWELLINGS)

(2) PER PROVISION C.3 4% RULE.



RAISED FLOW-THROUGH PLANTER DETAIL (TCM-5)

NOT TO SCALE



TYPICAL OFFSITE BIOFILTRATION (BF-6 & 7) DETAIL

NOT TO SCALE

ONSITE STORM WATER TREATMENT SUMMARY

DRAINAGE MANAGEMENT AREA	TOTAL AREA (SF)	IMPERVIOUS AREA (SF)	TREATMENT AREA REQUIRED (SF)	TREATMENT AREA PROVIDED (SF)	STORMWATER CONTROL MEASURE
ONSITE					
1	80,674	59,702	6,427	6,427	BF-1
2	98,577	78,019			
3	16,305	11,370			
4	17,486	11,592			
5	3,409	2,870	115	115	TCM-5
TOTAL	216,451	163,553	6,542	6,542	–
OFFSITE					
6	7,736	5,969	239	320	BF-6
7	8,302	6,130	245	423	BF-7
TOTAL	16,038	12,099	484	743	–

3903-000

5940 Soquel Avenue
Santa Cruz, CA
July 11, 2025

APN: 029-021-047

PRELIMINARY STORMWATER MANAGEMENT PLAN
TM-6

KB Home
5000 Executive Parkway, Suite 125, San Ramon, CA 94583
650.288.5970

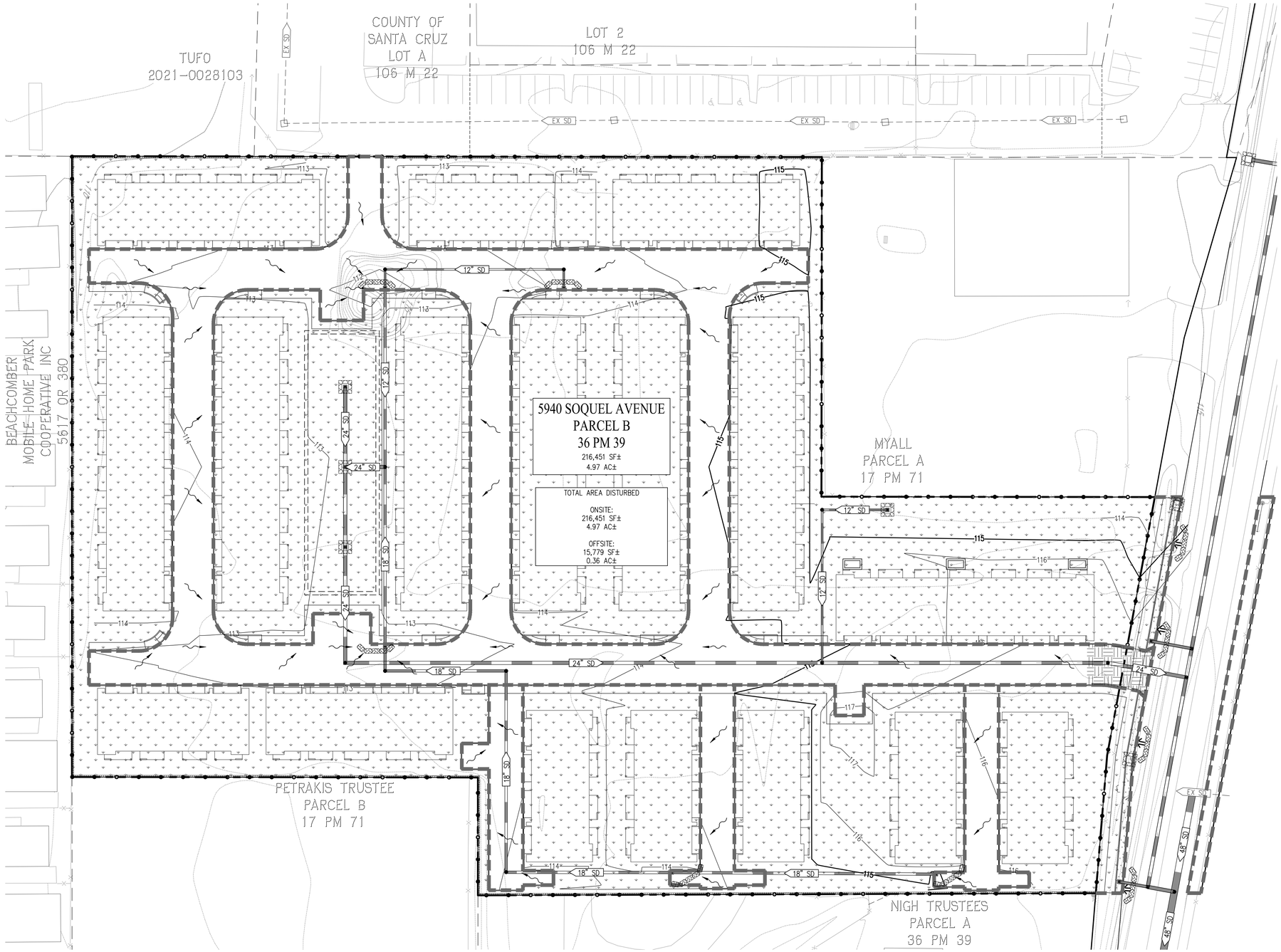
SDG Architects, Inc.
3361 Walnut Blvd. Suite 120
Brentwood, CA 94513
925.634.7000 | sdgarchitectsinc.com

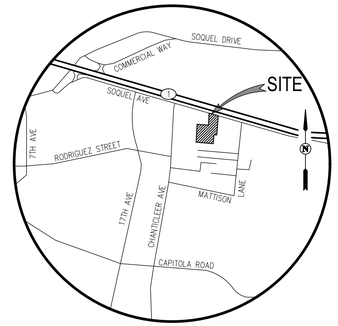
REGISTERED PROFESSIONAL ENGINEER RYAN T. HANSEN 80557 CIVIL STATE OF CALIFORNIA

cbg CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON • ROSEVILLE

0 30 60 90

Exhibit E





VICINITY MAP

NOT TO SCALE

CONTACTS:

1. DEVELOPER: KB HOME NORTHERN CALIFORNIA
   5000 EXECUTIVE PARKWAY, SUITE 125
   SAN RAMON, CA 94583
   (650) 288-5970
   BLAKE PETERS

2. CIVIL ENGINEER: CARLSON, BARBEE & GIBSON, INC.
   2633 CAMINO RAMON, SUITE 350
   SAN RAMON, CA 94583
   (925) 866-0322
   RYAN HANSEN, P.E.

LEGEND

- DIRECTION OF FLOW WITH STORM DRAIN INSTALLED
- FIELD INLET PROTECTION – (SE-10)
- CURB INLET PROTECTION – (SE-10)
- SILT FENCE – (SE-1)
- FIBER ROLL – (SE-5)
- HYDROSEED MIX OR HYDROMULCH – (EC-4 OR EC-3)
- STABILIZED CONSTRUCTION ENTRANCE/EXIT – (TC-1)
- STABILIZED CONSTRUCTION ROAD – (TC-2)
- CHECK DAMS – (SE-4)
- FIELD INLET
- CURB CUT
- 15" SD — PROPOSED STORM DRAIN
- EX 18" SD — EXISTING STORM DRAIN
- (S) STORMWATER DISCHARGE SAMPLING LOCATION*

NOTE:

* STORMWATER DISCHARGE SAMPLING LOCATIONS ARE SUBJECT TO CHANGE AND WILL BE REMOVED, RELOCATED OR ADDED AT THE QSP'S DISCRETION.

3903-000

5940 Soquel Avenue

Santa Cruz, CA

July 11, 2025

APN: 029-021-047

STORMWATER POLLUTION CONTROL PLAN

TM-7

KB Home

5000 Executive Parkway, Suite 125, San Ramon, CA 94583
650.288.5970

SDG Architects, Inc.
3361 Walnut Blvd. Suite 120
Brentwood, CA 94513
925.634.7000 | sdgarchitectsinc.com

0 30 60 90

REGISTERED PROFESSIONAL ENGINEER RYAN T. HANSEN 80557 CIVIL STATE OF CALIFORNIA

CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON · ROSEVILLE

Exhibit E

CONTACTS:

1. DEVELOPER: KB HOME NORTHERN CALIFORNIA
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(925) 866-0322
RYAN HANSEN, P.E.

RISK LEVEL 1 SITES - BEST MANAGEMENT PRACTICE NOTES:

1. RISK LEVEL 1 SITES ARE NOT SUBJECT TO A NUMERIC EFFLUENT STANDARD.

2. RISK LEVEL 1 SITES DO NOT REQUIRE A RAIN EVENT ACTION PLAN.

3. RISK LEVEL 1 SITE MONITORING AND REPORTING REQUIREMENTS:

SUMMARY OF MONITORING AND REPORTING REQUIREMENTS							
RISK LEVEL	VISUAL INSPECTIONS					SAMPLE COLLECTION	
	QUARTERLY NON-STORMWATER DISCHARGE	PRE-STORM EVENT		DAILY STORM BMP	POST STORM	STORMWATER DISCHARGE	RECEIVING WATER
		BASELINE	REAP				
X	X	X	N/A	X	X	N/A	N/A

4. IT SHALL BE THE LEGALLY RESPONSIBLE PARTY'S (LRP/DISCHARGER) DUTY TO MAINTAIN CONTROL OF THE ENTIRE CONSTRUCTION OPERATION AND TO ENSURE THE ENTIRE SITE IS IN COMPLIANCE WITH THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) APPROVED FOR THE SITE, THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD (SWRCB) ORDER NO. 2009-0009 DWQ, NPDES NO. CAS000002 AND THE CASQA CONSTRUCTION BMP GUIDANCE HANDBOOK.

5. THIS PLAN IS INTENDED TO BE UTILIZED FOR INTERIM EROSION AND SEDIMENT CONTROL ONLY AND IS NOT TO BE UTILIZED FOR FINAL ELEVATIONS OR PERMANENT IMPROVEMENTS.

6. THIS PLAN MAY NOT COVER ALL THE SITUATIONS THAT MAY ARISE DURING CONSTRUCTION DUE TO UNANTICIPATED FIELD CONDITIONS. VARIATIONS AND ADDITIONS MAY BE MADE TO THIS PLAN AS NECESSARY IN THE FIELD. DOCUMENT AND REPORT ANY FIELD CHANGES PER THE REQUIREMENTS OF THE SWPPP AND NOTIFY THE CITY OR COUNTY REPRESENTATIVE OF THE FIELD CHANGES.

7. ALL MAINTENANCE AND OPERATION REQUIREMENTS SHALL COMPLY WITH THE SWPPP AND THE CASQA CONSTRUCTION BMP GUIDANCE HANDBOOK.

8. DISCHARGERS SHALL EFFECT AND MAINTAIN PRECAUTIONARY MEASURES NECESSARY TO PROTECT ADJACENT WATERCOURSES AND PUBLIC OR PRIVATE PROPERTY FROM DAMAGE BY EROSION, FLOODING AND DEPOSITION OF MUD OR DEBRIS ORIGINATING FROM THE SITE.

9. THE CONTRACTOR IS RESPONSIBLE FOR ALL ASPECTS OF EROSION CONTROL FOR THE PROJECT AND SHALL INSTALL AND MAINTAIN ANY DEVICES AND MEASURES NECESSARY TO THE SATISFACTION OF THE CITY OR COUNTY ENGINEER AND THE REGIONAL WATER QUALITY CONTROL BOARD (RWQCB).

10. DISCHARGERS SHALL ESTABLISH AND MAINTAIN EFFECTIVE BMP PERIMETER CONTROLS AND STABILIZED ALL CONSTRUCTION ENTRANCES AND EXITS TO SUFFICIENTLY CONTROL EROSION AND SEDIMENT DISCHARGES FROM THE SITE YEAR-ROUND.

11. EROSION CONTROL MEASURES WILL BE PROPERLY IN PLACE YEAR-ROUND. ALL REMOVABLE PROTECTIVE DEVICES SHOWN SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN THE FIVE DAY RAIN PROBABILITY EXCEEDS 50 PERCENT.

12. INSPECTIONS AND OBSERVATIONS SHALL OCCUR WEEKLY, AND AT LEAST ONCE EACH 24-HOUR PERIOD DURING EXTENDED STORM EVENTS, TO IDENTIFY AND RECORD BMPS THAT NEED MAINTENANCE TO OPERATE EFFECTIVELY, THAT HAVE FAILED OR THAT COULD FAIL TO OPERATE AS INTENDED.

13. DISCHARGERS SHALL IMPLEMENT MEASURES TO CONTROL ALL NON-STORMWATER DISCHARGES DURING CONSTRUCTION.

14. DISCHARGERS SHALL IMPLEMENT EFFECTIVE WIND EROSION CONTROL.

15. CONSTRUCTION TRAFFIC SPEEDS WILL BE LIMITED TO 15 MPH, OR LESS, AS REQUIRED BY THE CONTRACTOR.

16. STABILIZED CONSTRUCTION ENTRANCES SHALL BE INSTALLED PRIOR TO COMMENCEMENT OF SITE WORK. ALL CONSTRUCTION TRAFFIC ENTERING THE PAVED ROAD MUST CROSS THE ENTRANCE. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY.

17. APPLY GRAVEL CONSTRUCTION ENTRANCE MATERIAL WITHIN MATERIAL STORAGE AREA.

18. APPLY GRAVEL CONSTRUCTION ENTRANCE MATERIAL WITHIN THE VEHICLE STORAGE AREA.

19. PLACE ALL EQUIPMENT OR VEHICLES, WHICH ARE TO BE FUELED, MAINTAINED AND STORED IN A DESIGNATED AREA FITTED WITH APPROPRIATE BMPS.

20. IMPLEMENT BMPS TO PREVENT THE OFF-SITE TRACKING OF LOOSE CONSTRUCTION AND LANDSCAPE MATERIALS.

21. PAVED STREETS WILL BE MONITORED DAILY AND FREQUENTLY CLEANED. STREETS WILL ALSO BE SWEPT ON AT LEAST A WEEKLY BASIS OR MORE OFTEN, AS NEEDED, TO MAINTAIN CONTINUOUS LITTER AND TRACKING CONTROL. STREET WASHING WILL NOT BE DONE.

22. TRASH RECEPTACLES WILL BE PROVIDED THROUGHOUT THE SITE AND UTILIZED BY ALL WORKERS FOR MISCELLANEOUS TRASH. SITE REFUSE WILL BE PICKED UP ON A WEEKLY BASIS OR AS OFTEN AS NECESSARY IN ORDER TO KEEP THE SITE CLEAN.

23. COVER AND BERM LOOSE STOCKPILED CONSTRUCTION MATERIALS THAT ARE NOT ACTIVELY BEING USED (I.E. SOIL, SPOILS, AGGREGATE, FLY-ASH, STUCCO, HYDRATED LIME, ETC.).

24. CONTAIN AND SECURELY PROTECT STOCKPILED WASTE MATERIAL FROM WIND AND RAIN AT ALL TIMES UNLESS ACTIVELY BEING USED.

25. EXCAVATING, FILLING, BACKFILLING AND GRADING WORK SHALL NOT BE PERFORMED DURING UNFAVORABLE WEATHER CONDITIONS.

26. DISCHARGERS SHALL PROVIDE EFFECTIVE SOIL COVER FOR INACTIVE AREAS AND ALL FINISHED SLOPES, OPEN SPACE, UTILITY BACKFILL AND COMPLETED LOTS. INACTIVE AREAS OF CONSTRUCTION ARE AREAS OF CONSTRUCTION ACTIVITY THAT HAVE BEEN DISTURBED AND ARE NOT SCHEDULED TO BE RE-DISTURBED FOR AT LEAST 14 DAYS.

27. SLOPES WILL BE GRADED SO THAT WATER IS DIRECTED AWAY FROM THE SLOPE FACES AT THE END OF EACH WORKING DAY WHEN A CHANCE OF RAIN IS FORECAST.

28. ALL RILLS, GULLIES, ETC. WILL BE PROMPTLY REPAIRED AS PRACTICAL BY REGRADING OR INSTALLATION OF SOIL, GRAVEL OR SANDBAGS.

29. ALL DRAIN INLETS WILL BE PROTECTED AS THEY ARE COMPLETED, DURING THE ENTIRE COURSE OF CONSTRUCTION.

30. IF SEDIMENT BASINS ARE TO BE USED, DISCHARGERS SHALL, AT A MINIMUM DESIGN SEDIMENT BASINS ACCORDING TO THE METHOD PROVIDED IN CASQA'S CONSTRUCTION BMP GUIDANCE HANDBOOK.

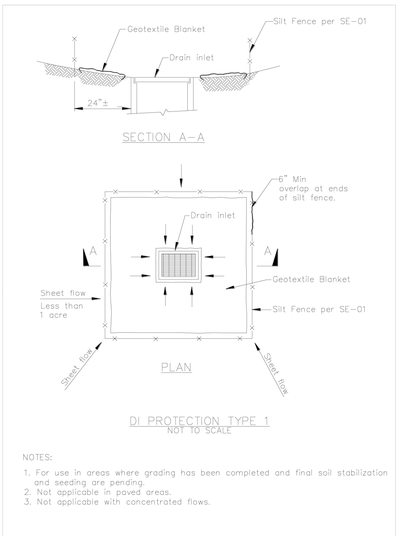
31. AFTER EACH RAINSTORM, SILT AND DEBRIS SHALL BE REMOVED FROM CHECK DAMS, FIBER ROLLS, SILT FENCES AND SILT SACKS. SEDIMENT TRAPS/BASINS SHOULD ALSO BE OBSERVED AND PUMPED DRY AS NECESSARY TO ASSURE PROPER FUNCTION AND CAPACITY.

32. INTERIOR FIBER ROLLS MAY BE REMOVED AS THE AREA COMES UNDER CONSTRUCTION FOR FINISH GRADING AND LANDSCAPING INSTALLATION. PERIMETER PROTECTION SHOULD BE LEFT IN PLACE YEAR-ROUND.

33. GRAVEL CHECK DAMS MAY BE REMOVED FROM UNPAVED ROADWAYS AS THEY COME UNDER CONSTRUCTION.

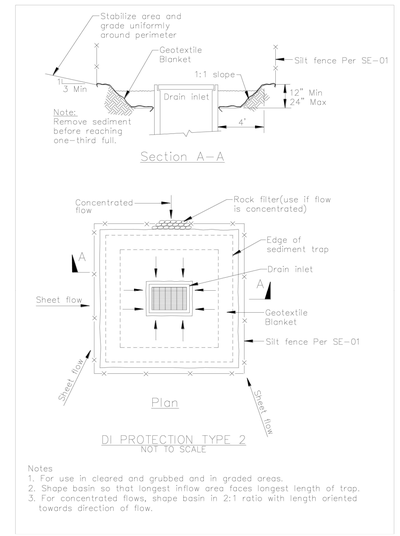
APPLICABLE (BUT NOT LIMITED TO) CURRENT CASQA STORMWATER BMP CONSTRUCTION HANDBOOK

EC-1	SCHEDULING
EC-3	HYDROMULCH
EC-4	HYDROSEED
NS-1	WATER CONSERVATION PRACTICES
NS-2	DEWATERING OPERATIONS
NS-3	PAVING & GRINDING OPERATIONS
NS-8	VEHICLE & EQUIPMENT CLEANING
NS-9	VEHICLE & EQUIPMENT FUELING
NS-10	VEHICLE & EQUIPMENT MAINTENANCE
NS-12	CONCRETE CURING
NS-13	CONCRETE FINISHING
SE-1	SILT FENCE
SE-4	CHECK DAMS
SE-5	FIBER ROLLS
SE-10	DI PROTECTION TYPE 1
SE-10	DI PROTECTION TYPE 2
SE-10	DI PROTECTION TYPE 3
TC-1	STABILIZED CONSTRUCTION ENTRANCE/EXIT
TC-2	STABILIZED CONSTRUCTION ROADWAY
TC-3	ENTRANCE & OUTLET TIRE WASH
WE-1	WIND EROSION CONTROL
WM-1	MATERIAL DELIVERY & STORAGE
WM-2	MATERIAL USE
WM-3	STOCKPILE MANAGEMENT
WM-8	CONCRETE WASTE MANAGEMENT
WM-9	SANITARY/SEPTIC WASTE MANAGEMENT



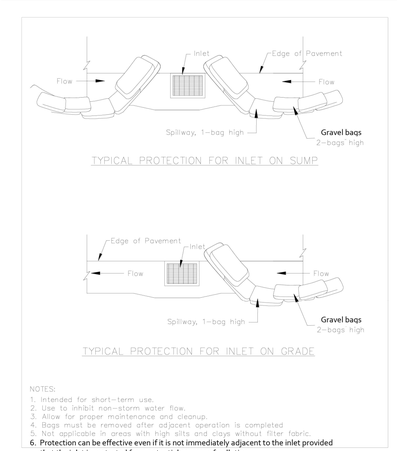
DI PROTECTION TYPE 1
NOT TO SCALE

NOTES:
1. For use in areas where grading has been completed and final soil stabilization and seeding are pending.
2. Not applicable in paved areas.
3. Not applicable with concentrated flows.



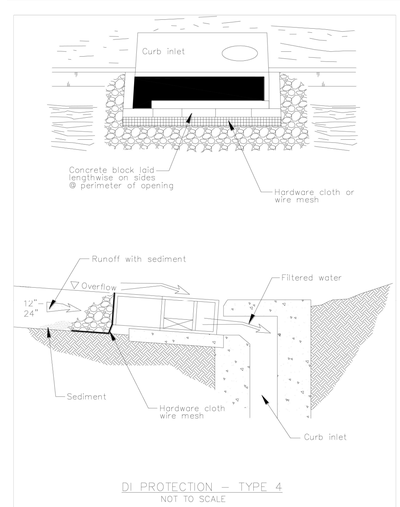
DI PROTECTION TYPE 2
NOT TO SCALE

Notes
1. For use in cleared and grubbed and in graded areas.
2. Shape basin so that longest inflow area faces longest length of trap.
3. For concentrated flows, shape basin in 2:1 ratio with length oriented towards direction of flow.



NOTES:
1. Intended for short-term use.
2. Use to inhibit non-storm water flow.
3. Allow for proper maintenance and cleanup.
4. Bags must be removed after adjacent operation is completed
5. Not applicable in areas with high silts and clays without filter fabric
6. Protection can be effective even if it is not immediately adjacent to the inlet provided that the inlet is protected from potential sources of pollution.

DI PROTECTION TYPE 3
NOT TO SCALE



DI PROTECTION – TYPE 4
NOT TO SCALE

3903-000

5940 Soquel Avenue
Santa Cruz, CA
July 11, 2025

APN: 029-021-047
STORMWATER POLLUTION CONTROL PLAN NOTES & DETAILS
TM-7.1

KB Home
5000 Executive Parkway, Suite 125, San Ramon, CA 94583
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REGISTERED PROFESSIONAL ENGINEER RYAN T. HANSEN 80557 CIVIL STATE OF CALIFORNIA

CIVIL ENGINEERS SURVEYORS PLANNERS
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Exhibit E

CHANTICLEER AVENUE
(PUBLIC STREET)

490'±

EX SHERIFF SOLAR PANELS

TUFO
2021-0028103

(EVAE, PSDE, PSSE & ORE BY SEPARATE AGREEMENT WITH NEIGHBORING PROPERTY OWNER)

COUNTY OF SANTA CRUZ
LOT A
106 M 22

BEACHCOMBER MOBILE HOME PARK COOPERATIVE INC
5617 OR 380

BLDG 15 | BLDG 11 | BLDG 6

EVA

B STREET

BLDG 16 | BLDG 14 | BLDG 12 | BLDG 10 | BLDG 7 | BLDG 5

E STREET | D STREET | C STREET

MYALL
PARCEL A
17 PM 71

BLDG 1

A STREET

BLDG 17 | BLDG 13 | BLDG 9 | BLDG 8 | BLDG 4 | BLDG 3 | BLDG 2

H ALLEY | G ALLEY | F ALLEY

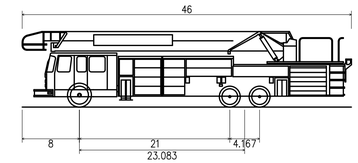
SOQUEL AVENUE

PETRAKIS TRUSTEE
PARCEL B
17 PM 71

NIGH TRUSTEES
PARCEL A
36 PM 39

LEGEND

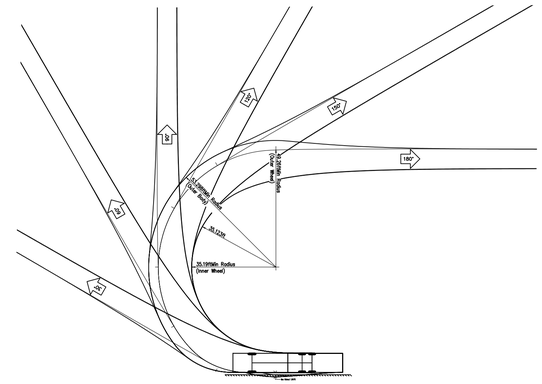
	EXISTING BOUNDARY
	EXISTING RIGHT OF WAY
BLDG 1	BUILDING NUMBER
W	PROPOSED WATER MAIN
	PROPOSED FIRE HYDRANT
	FIRE HOSE PULL (150' MAX)
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
EX	EXISTING



OVERALL LENGTH	46.000FT
OVERALL WIDTH	8.000FT
OVERALL BODY HEIGHT	10.559FT
MIN BODY GROUND CLEARANCE	0.990FT
TRACK WIDTH	8.333FT
LOCK-TO-LOCK TIME	7.00s
MAX WHEEL ANGLE	33.00°

FIRE TRUCK (ASSUMED)

NOT TO SCALE



FIRE TRUCK TURNING TEMPLATE

NOT TO SCALE

3903-000

5940 Soquel Avenue

Santa Cruz, CA
July 11, 2025

APN: 029-021-047
FIRE ACCESS PLAN
TM-8

KB Home
5000 Executive Parkway, Suite 125, San Ramon, CA 94583
650.288.5970

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0 30 60 90

REGISTERED PROFESSIONAL ENGINEER
RYAN T. HANSEN
80557
CIVIL
STATE OF CALIFORNIA

cbg CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON · ROSEVILLE

Exhibit E



TREE PROTECTION LEGEND

DESCRIPTION	SYMBOL
TREE TO BE REMOVED	×
TREE TO REMAIN/PROTECT	·
PROPOSED TREE, TYPICAL SEE PLANTING PLAN	
TREE PROTECTION FENCING (SEE DETAIL A, SHEET L2)	----------

ON-SITE TREE MITIGATION TABLE

	QTY	REPLACEMENT RATIO-SIZE	QUANTITY REQUIRED
TOTAL TREES TO BE REMOVED	9	3:1 - 15 GALLON	27

- IF QUANTITY OF PROPOSED TREES ARE NOT EQUAL TO OR GREATER THAN REQUIRED TREES, THE PROJECT IS SUBJECT TO MITIGATION FEES PER CITY OF SANTA CRUZ POLICY.
- SEE THE ARBORIST INVENTORY DATED 11/7/2024 FOR ADDITIONAL INFORMATION.
- THE SIZE OF A 15-GALLON REPLACEMENT TREE CAN BE INCREASED TO 24-INCH BOX AND COUNT AS THREE REPLACEMENT TREES.

EXISTING TREE SUMMARY

TOTAL TREES REQUIRED TO MEET MITIGATION REQUIREMENTS ON-SITE	27	15 GALLON
TOTAL PROPOSED TREES ON-SITE (NOT INCLUDING STREET TREES)	179	15 GALLON

GRAPHIC SCALE

40 0 20 40 80 160

(In Feet)
1 inch = 40 feet

HMH
Land Use Entitlements
Land Planning
Landscape Architecture
Civil Engineering
Utility Design
Land Surveying
Stormwater Compliance
1570 Oakland Road (408) 487-2200
San Jose, CA 95131 HMHca.com

SOQUEL AVENUE
SANTA CRUZ, CA
KB HOME

NO	DATE	DESCRIPTION

PROJECT NO:	6986.00
CAD DWG FILE:	698600CL.DWG
DESIGNED BY:	KY
DRAWN BY:	TC
CHECKED BY:	CM
DATE:	OCTOBER 16, 2025
SCALE:	1" = 40'

© HMH

TREE MITIGATION PLAN

L1

S:\PROJECTS\6986\00\LAP\LANNING\6986600CL.DWG

PLOTTED: 10/16/2025 1:39 PM

Exhibit E

TREE PROTECTION NOTES

SITE PREPARATION:
ALL EXISTING TREES SHALL BE FENCED WITHIN OR AT THE DRIP LINE (FOLIAR SPREAD) OF THE TREE. DEPENDING ON THE LOCATION OF THE TREE THE FENCING MAY NOT BE ABLE TO BE AT THE DRIPLINE. EXAMPLES OF THIS WOULD BE PUBLIC RIGHT OF WAY, NEAR PROPERTY LINES OR AROUND EXISTING STRUCTURES TO REMAIN. WHERE COMPLETE DRIP LINE FENCING IS NOT POSSIBLE, THE ADDITION OF STRAW WADDLES AND ORANGE SNOW FENCING WRAPPING THE TRUNK SHALL BE INSTALLED PER THE TREE PROTECTION DETAIL. THE FENCE SHOULD BE A MINIMUM OF SIX FEET HIGH, MADE OF GALVANIZED 11-GAUGE WIRE MESH WITH GALVANIZED POSTS OR ANY MATERIAL SUPERIOR IN QUALITY. A TREE PROTECTION ZONE (TPZ) SIGN SHALL BE AFFIXED TO FENCING AT APPROPRIATE INTERVALS AS DETERMINED BY THE ARBORIST ON SITE. SEE TREE PROTECTION DETAIL FOR ADDITIONAL INFORMATION, INCLUDING TREE PROTECTION ZONE SIGN. IF THE FENCE IS WITHIN THE DRIP LINE OF THE TREES, THE FOLIAR FRINGE SHALL BE RAISED TO OFFSET THE CHANCE OF LIMB DAMAGE FROM ACTIVE CONSTRUCTION.

ACTIVE CONSTRUCTION:
ALL CONTRACTORS, SUBCONTRACTORS AND OTHER PERSONNEL SHALL BE WARNED THAT ENCROACHMENT WITHIN THE FENCED AREA AND DRIPLINE IS PROHIBITED WITHOUT THE CONSENT OF THE CERTIFIED ARBORIST ON THE JOB. THIS INCLUDES, BUT IS NOT LIMITED TO, STORAGE OF LUMBER AND OTHER MATERIALS, DISPOSAL OF PAINTS, SOLVENTS OR OTHER NOXIOUS MATERIALS, PARKED CARS, GRADING EQUIPMENT OR OTHER HEAVY EQUIPMENT. IF CONSTRUCTION ACTIVITY NEEDS TO HAPPEN IN THE TPZ THE FENCE CAN BE MOVED TEMPORARILY FOR DELIVERY OF CONSTRUCTION MATERIALS. THE CONTRACTOR SHOULD MAKE ACCOMMODATIONS TO OFF LOAD ITEMS SUCH AS TRUSSES, TIMBER, PLASTERBOARD, WALLBOARD, CONCRETE, GYPSUM BOARD, FLOORING, ROOFING OR ANY OTHER HEAVY CONSTRUCTION MATERIAL OUTSIDE THE FOLIAR SPREAD OF THE TREE SO THERE IS NO HEAVY EQUIPMENT NEEDED THAT COULD CAUSE DAMAGE TO THE CANOPY OF THE TREE OR COMPACT THE ROOT ZONE. THE TREE PROTECTION FENCING SHOULD BE REESTABLISHED PER THE PLANS AND DETAILS IMMEDIATELY AFTER ANY ACTIVITY THROUGH THE TPZ. PENALTIES, BASED ON THE COST OF REMEDIAL REPAIRS AND THE EVALUATION GUIDE PUBLISHED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE, SHALL BE ASSESSED FOR DAMAGES TO THE TREES.

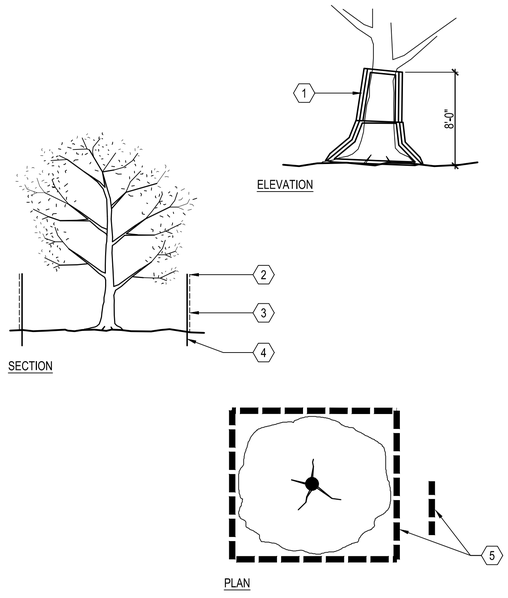
GRADING/EXCAVATING:
ALL GRADING PLANS THAT SPECIFY GRADING WITHIN THE DRIP LINE OF ANY TREE, OR WITHIN THE DISTANCE FROM THE TRUNK AS OUTLINED IN THE SITE PREPARATION SECTION ABOVE WHEN SAID DISTANCE IS OUTSIDE THE DRIP LINE, SHALL FIRST BE REVIEWED BY A CERTIFIED ARBORIST. PROVISIONS FOR AERATION, DRAINAGE, PRUNING, TUNNELING BENEATH ROOTS, ROOT PRUNING OR OTHER NECESSARY ACTIONS TO PROTECT THE TREES SHALL BE OUTLINED BY AN ARBORIST. IF TRENCHING IS NECESSARY WITHIN THE AREA AS DESCRIBED ABOVE, SAID TRENCHING SHALL BE UNDERTAKEN BY HAND LABOR AND DUG DIRECTLY BENEATH THE TRUNK OF THE TREE. ALL ROOTS 2 INCHES OR LARGER SHALL BE TUNNELED UNDER AND OTHER ROOTS SHALL BE CUT SMOOTHLY TO THE TRUNK SIDE OF THE TRENCH. THE TRUNK SIDE SHOULD BE DRAPED IMMEDIATELY WITH TWO LAYERS OF UNTREATED BURLAP TO A DEPTH OF 3 FEET FROM THE SURFACE. THE BURLAP SHALL BE SOAKED NIGHTLY AND LEFT IN PLACE UNTIL THE TRENCH IS BACK FILLED TO THE ORIGINAL LEVEL. AN ARBORIST SHALL EXAMINE THE TRENCH PRIOR TO BACK FILLING TO ASCERTAIN THE NUMBER AND SIZE OF ROOTS CUT, SO AS TO SUGGEST THE NECESSARY REMEDIAL REPAIRS.

REMEDIAL REPAIRS:
AN ARBORIST SHALL HAVE THE RESPONSIBILITY OF OBSERVING ALL ONGOING ACTIVITIES THAT MAY AFFECT THE TREES AND PRESCRIBING NECESSARY REMEDIAL WORK TO ENSURE THE HEALTH AND STABILITY OF THE TREES. THIS INCLUDES, BUT IS NOT LIMITED TO, ALL ARBORIST ACTIVITIES BROUGHT OUT IN THE PREVIOUS SECTIONS. IN ADDITION, PRUNING, AS OUTLINED IN INTERNATIONAL SOCIETY OF ARBORICULTURE BEST MANAGEMENT PRACTICES: PRUNING AND ANSI A300 PART 1 STANDARD PRACTICES: PRUNING, SHALL BE PRESCRIBED AS NECESSARY. FERTILIZING, AERATION, IRRIGATION, PEST CONTROL AND OTHER ACTIVITIES SHALL BE PRESCRIBED ACCORDING TO THE TREE NEEDS, LOCAL SITE REQUIREMENTS, AND STATE AGRICULTURAL PEST CONTROL LAWS. ALL SPECIFICATIONS SHALL BE IN WRITING. FOR PEST CONTROL OPERATIONS, CONSULT THE LOCAL COUNTY AGRICULTURAL COMMISSIONER'S OFFICE FOR INDIVIDUALS LICENSED AS PEST CONTROL ADVISORS OR PEST CONTROL OPERATORS.

FINAL INSPECTION:
UPON COMPLETION OF THE PROJECT, THE ARBORIST SHALL REVIEW ALL WORK UNDERTAKEN THAT MAY IMPACT THE EXISTING TREES. SPECIAL ATTENTION SHALL BE GIVEN TO CUTS AND FILLS, COMPACTING, DRAINAGE, PRUNING AND FUTURE REMEDIAL WORK. AN ARBORIST SHOULD SUBMIT A FINAL REPORT IN WRITING OUTLINING THE ONGOING REMEDIAL CARE FOLLOWING THE FINAL INSPECTION.

NOTES:
1. CONSTRUCTION PERIOD PROTECTION FOR TREES SHOULD BE PROVIDED BEFORE GRADING OR OTHER EQUIPMENT IS ALLOWED ON THE PROPERTY.
2. WHEN CONSTRUCTION IS TO TAKE PLACE BENEATH A TREE CANOPY ON ONE SIDE, THE FENCE SHOULD BE SITED 2 TO 3 FEET BEYOND THAT CONSTRUCTION, BUT BETWEEN CONSTRUCTION AND THE TREE TRUNK.
3. IF CONSTRUCTION OR PAVING IS TO TAKE PLACE THROUGHOUT THE AREA BENEATH CANOPY, AND DRIP LINE FENCING IS NOT PRACTICAL, SNOW FENCING SHOULD BE USED TO PROTECT THE TRUNKS FROM DAMAGE.

1. SNOW FENCING THREE LAYERS OF WIRE AND LATH SNOW FENCING TO 8 FEET ABOVE GROUND ON TREES WHERE CONSTRUCTION WILL TAKE PLACE BENEATH THE CANOPY.
2. TOP OF FENCE WITH FLUORESCENT FLAGGING TAPE HUNG EVERY 10 FEET
3. 6' CHAIN LINK OR WELDED WIRE MESH
4. 8' FENCE POST OF 2" DIAMETER GI PIPE OR T-ANGLE POST
5. FENCE PLACED AT DRIP LINE OR 50% GREATER THAN THE TREE CANOPY RADIUS WHERE POSSIBLE



A TREE PROTECTION FENCING
SCALE: NOT TO SCALE

TABLE 2 - TREE EVALUATION SUMMARY

Prepared By: William Sowa ISA Certified Arborist WE-12270A
DBH MEASUREMENT HEIGHT: 54"
Date of Evaluation: 11/7/2024

Suitability for Preservation is based on the following	
Good - Trees with good health and structural stability that have the potential for longevity at the site.	
Moderate - Trees in somewhat declining health and/or exhibits structural defects that cannot be abated with treatment. Trees will require more intense management and will have a shorter lifespan than those in the 'Good' category.	
Poor - Trees in poor health or with significant structural defects that cannot be mitigated. Tree is expected to decline, regardless of treatment.	
Health Rating	
5	A healthy, vigorous tree, reasonably free of disease, with good structure and form typical of the species.
4	A tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.
3	A tree with moderate vigor, moderate twig and small branch dieback, thinning of crown, poor leaf color, moderate structural defects that may that might be mitigated with care.
2	A tree in decline, epicormic growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.
1	A tree in severe decline, dieback of scaffold branches and or trunk, mostly epicormic growth; extensive structural defects that cannot be abated.
0	Tree is dead.
Abbreviations and Definitions	
BDB	Branch dieback — Condition where branch tips or entire sections of branches die off. Typically indicative of tree stress.
CD	Codominant branches — Forked branches nearly the same size in diameter, arising from a common junction an lacking a normal branch union.
CDB	Dieback in Crown — Condition where branches in the tree crown die from the tips toward the center.
CR	Crowded — Tree is bounded closely by one or more of the following: structure, tree, Etc.
D	Decline — Tree shows obvious signs of decline, which may be indicative of the presence of multiple biotic and abiotic disorders.
DBH	Diameter at Breast Height — Measurement of tree diameter in inches. Measurement height varies by City and is noted above.
EG	Epicormic Growth — Watersprouting on trunk and main leaders or suckers, sprouts arising out of roots.Typically indicative of tree stress.
EH	Exposed Heartwood — Exposure of the tree's heartwood is typically seen as an open wound that leaves a tree more susceptible to pathogens, disease or infection.
GR	Girdling Roots — Roots that grow around or across other roots. Can cause restriction of nutrient and water uptake, swelling, dieback or structural instability.
H	Hazardous — A tree that in it's current condition, presents a hazard.
HD	Headed — Poor pruning practice of cutting back branches. Often practiced under utility lines to limit tree height.
IB	Included Bark — Structural defect where bark is included between the branch attachment so the wood can't join. Such defect can have a higher probability of failure.
LN	Leaning Tree — Tree leaning, see notes for severity.
MT	Multi Trunk — Multiple central leaders originating below the DBH measurement.
PT	Phototropism — Tree exhibits phototropic growth habits. Reduced trunk taper, misshapen trunk and canopy growth are examples of this growth habit.
SD	Structural Defects — Naturally or secondary conditions including cavities, poor branch attachments, cracks, or decayed wood in any part of the tree that may contribute to structural failure.
SE	Severe — Indicates the severity of the following term.
SL	Slight — Indicates the mildness of the following term.
SR	Surface Roots — Roots visible at finished grade.
ST	Stress — Environmental factor inhibiting regular tree growth. Includes drought, salty soils, nitrogen and other nutrient deficiencies in the soil.
WU	Weak Union — Weak union or fork in tree branching structure.
	Significant Tree — (A) Within the urban services line or rural services line, any tree which is equal to or greater than 20 inches d.b.h. (approximately five feet in circumference); any sprout clump of five or more stems each of which is greater than 12 inches d.b.h. (approximately three feet in circumference); or any group consisting of five or more trees on one parcel, each of which is greater than 12 inches d.b.h. (approximately three feet in circumference). (B) Outside the urban services line or rural services line, where visible from a scenic road, any beach, or within a designated scenic resource area, any tree which is equal to or greater than 40 inches d.b.h. (approximately 10 feet in circumference); any sprout clump of five or more stems, each of which is greater than 20 inches d.b.h. (approximately five feet in circumference); or, any group consisting of 10 or more trees on one parcel, each greater than 20 inches d.b.h. (approximately five feet in circumference). (C) Any tree located in a sensitive habitat as defined in Chapter 16.32 SCCC. Also see SCCC 16.34.090(C), exemption of projects with other permits.

TREE #	BOTANICAL NAME	COMMON NAME	DBH (INCHES)	CIRCUMF-ERENCE (INCHES)	SIGNIFICANT TREE	CANOPY (APX FEET)	HEIGHT (APX FEET)	HEALTH	PRESERVATION SUITABILITY	NOTES
1	*Acacia dealbata*	Silver Wattle	20.0	63	YES	40	35	3	Poor	CR fence & storage items, SD, sap sucker damage, invasive
2	*Acacia dealbata*	Silver Wattle	8.2, 9.3, 5.3	72	YES	25	30	2	Poor	CR fence, storage items, & tree #1, SD, ST, growing under tree #1, invasive
3	*Acer rubrum*	Red Maple	5.0	16	NO	12	15	3	Moderate	BDB, grown on mound, CR fence & storage items
4	*Eucalyptus camaldulensis*	River Red Gum	10.7	34	NO	18	40	3	Poor	ST, invasive
5	*Eucalyptus camaldulensis*	River Red Gum	19, 11	94	YES	35	55	3	Poor	ST, possibly offsite, CR fence & shed, invasive
6	*Quercus agrifolia*	Coast Live Oak	not accessible			28	40	3	Moderate	untagged, unable to get near tree
7	*Acacia melanoxylon*	Blackwood Acacia	9.0	28	NO	18	40	3	Moderate	invasive
8	*Fraxinus angustifolia 'Raywood'*	Raywood Ash	not accessible			30	35	3	Moderate	untagged, unable to get near tree, ST, BDB
9	*Fraxinus angustifolia 'Raywood'*	Raywood Ash	not accessible			20	40	3	Moderate	untagged, unable to get near tree, ST
OFF SITE TREES										
OS 1	*Sequoia sempervirens*	Coast Redwood					70			Overhangs property apx. 28'
OS 2	*Platanus x hispanica*	London Plane					40			Overhangs property apx. 20'
OS 3	*Pinus radiata*	Monterey Pine	37.7	118	YES		70			Overhangs property apx. 5'
OS 4	*Pinus radiata*	Monterey Pine	41.1	129	YES		65			Overhangs property apx. 20'

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SOQUEL AVENUE
SANTA CRUZ, CA
KB HOME

NO	DATE	DESCRIPTION

PROJECT NO:	6986.00
CAD DWG FILE:	698600CL_TEMP.DWG
DESIGNED BY:	KY
DRAWN BY:	TC
CHECKED BY:	CM
DATE:	DECEMBER 10, 2024
SCALE:	NOT TO SCALE

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TREE INVENTORY, TREE PROTECTION DETAIL AND NOTES

L2

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Exhibit E



GRAPHIC SCALE

40 0 20 40 80 160

(In Feet)

1 inch = 40 feet

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SCALE:	1" = 40'

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OVERALL LANDSCAPE PLAN

L3

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Exhibit E



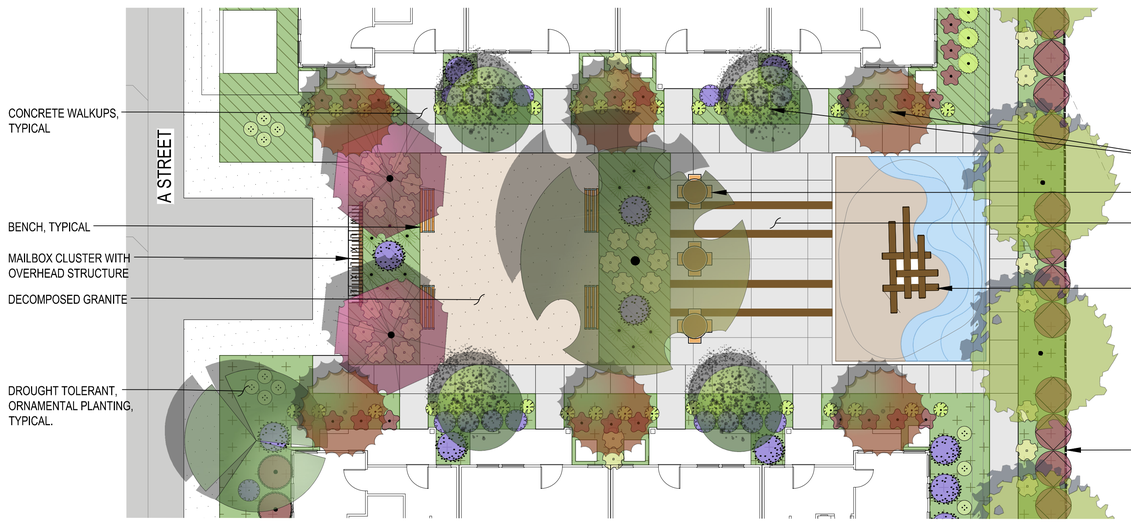
A OPEN SPACE 1 ENLARGEMENT

SCALE: 1" = 10'-0"

GRAPHIC SCALE

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(In Feet)
1 inch = 10 feet



B OPEN SPACE 2 ENLARGEMENT

SCALE: 1" = 10'-0"

GRAPHIC SCALE

10 0 5 10 20 40

(In Feet)
1 inch = 10 feet

TREE LEGEND

BOTANICAL NAME	SYMBOL
ARBUTUS 'MARINA'	
CERCIS OCCIDENTALIS	
HETEROMELES ARBUTIFOLIA	
LYONOTHAMNUS FLORIBUNDUS	
OLEA EUROPAEA	
PINUS CANARIENSIS	
PISTACIA CHINENSIS	
QUERCUS AGRIFOLIA	

SHRUB LEGEND

BOTANICAL NAME	SYMBOL
ACHILLEA MILLEFOLIUM 'ISLAND PINK'	
AGAVE 'BLUE GLOW'	
ARCTOSTAPHYLOS 'HOWARD MCMINN'	
IRIS DOUGLASIANA 'CANYON SNOW'	
ERIGERON GLAUCUS 'WAYNE RODERICK'	
ERIOGONUM ARBORESCENS	
EUPHORBIA CHARACIAS WULFENII	
LEYMUS CONDENSATUS 'CANYON PRINCE'	
LEUCADENDRON 'SAFARI SUNSET'	
LIMONIUM PEREZII	
PENNISETUM 'LITTLE BUNNY'	
RIBES SANGUINEUM	
SALVIA CLEVELANDII	
SALVIA SPATHACEA	

GROUNDCOVER LEGEND

BOTANICAL NAME	SYMBOL
BACCHARIS PILULARIS 'PIGEON POINT'	
CEANOTHUS 'CENTENNIAL'	
VERBENA TENUISECTA	

BIOTREATMENT LEGEND

BOTANICAL NAME	SYMBOL
CISTUS INCANUS 'CRETICUS'	
CHONDROPETALUM TECTORUM	
JUNCUS PATENS	
LIPPIA NODIFLORA	
MIMULUS AURANTIACUS	
STIPA PULCHRA	

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SCALE:	1" = 10'

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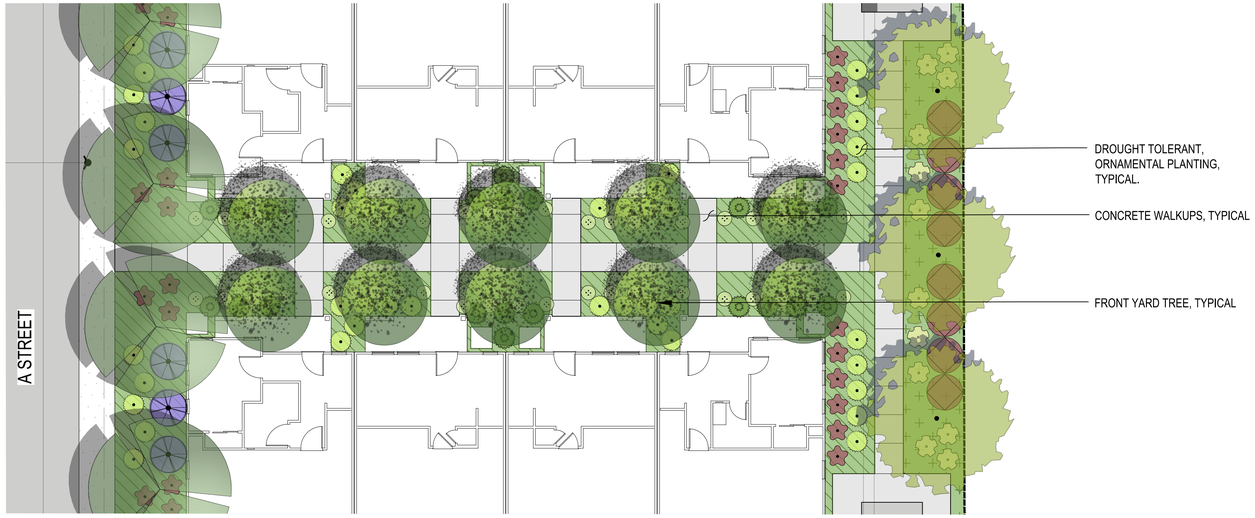
OPEN SPACE ENLARGEMENTS

L4

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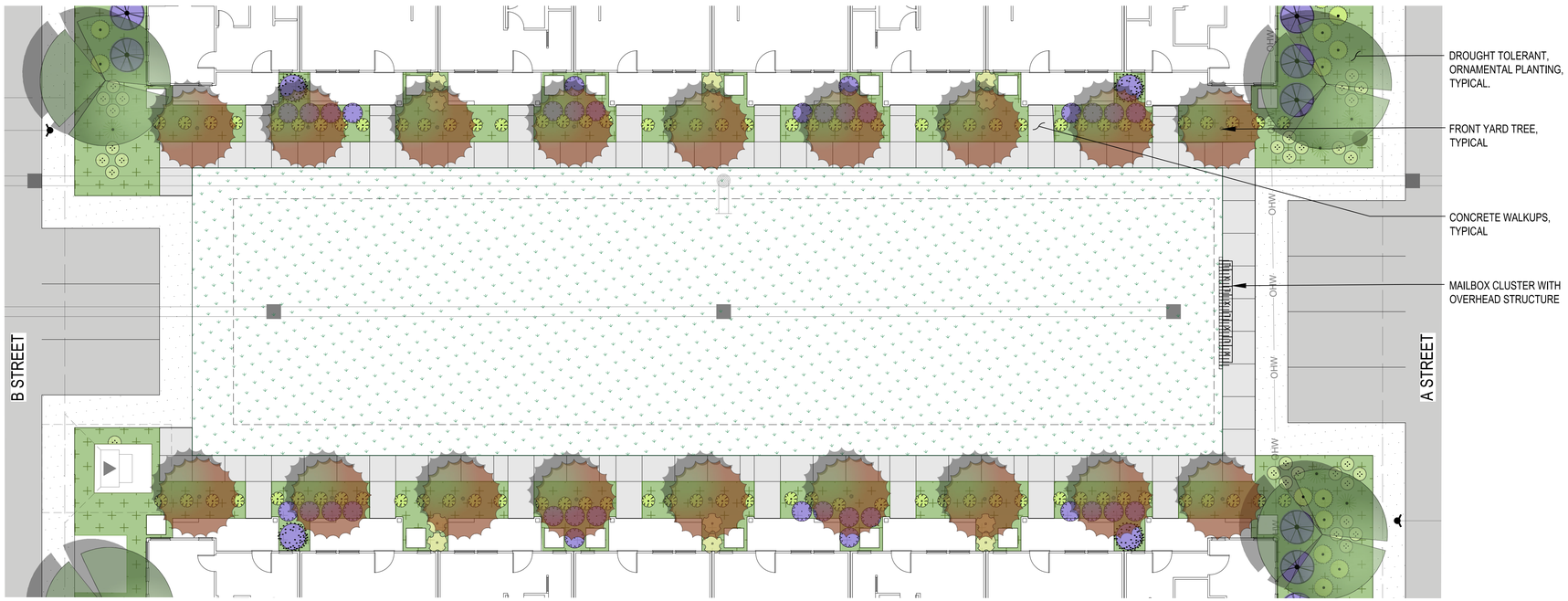
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Exhibit E



A ATTACHED TOWNHOME FRONT YARD TYPICAL
SCALE: 1" = 10'-0"

GRAPHIC SCALE
10 0 5 10 20 40
(In Feet)
1 inch = 10 feet



B BIORETENTION ENLARGEMENT
SCALE: 1" = 10'-0"

GRAPHIC SCALE
10 0 5 10 20 40
(In Feet)
1 inch = 10 feet

SHRUB LEGEND

BOTANICAL NAME	SYMBOL
ACHILLEA MILLEFOLIUM 'ISLAND PINK'	
AGAVE 'BLUE GLOW'	
ARCTOSTAPHYLOS 'HOWARD MCMINN'	
ERIGERON GLAUCUS 'WAYNE RODERICK'	
ERIOGONUM ARBORESCENS	
EUPHORBIA CHARACIAS WULFENII	
IRIS DOUGLASIANA 'CANYON SNOW'	
LEUCADENDRON 'SAFARI SUNSET'	
LEYMUS CONDENSATUS 'CANYON PRINCE'	
LIMONIUM PEREZII	
PENNISETUM 'LITTLE BUNNY'	
RIBES SANGUINEUM	
SALVIA CLEVELANDII	
SALVIA SPATHACEA	

GROUNDCOVER LEGEND

BOTANICAL NAME	SYMBOL
BACCHARIS PILULARIS 'PIGEON POINT'	
CEANOTHUS 'CENTENNIAL'	
VERBENA TENUISECTA	

BIOTREATMENT LEGEND

BOTANICAL NAME	SYMBOL
CISTUS INCANUS 'CRETICUS'	
CHONDROPETALUM TECTORUM	
JUNCUS PATENS	
LIPPIA NODIFLORA	
MIMULUS AURANTIACUS	
STIPA PULCHRA	

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SCALE:	1" = 10'

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OPEN SPACE ENLARGEMENTS

L5

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Exhibit E

PLANTING PLAN NOTES

CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY TO FURNISH AND INSTALL PLANT MATERIAL AS SHOWN ON THE DRAWINGS AND AS DESCRIBED IN THE SPECIFICATIONS.

UNLESS DESIGNATED ON THE DRAWINGS OTHERWISE, STRUCTURAL IMPROVEMENTS AND HARDSCAPE SHALL BE INSTALLED PRIOR TO PLANTING OPERATIONS.

PLANT LIST ON THE DRAWINGS SHALL BE USED AS A GUIDE ONLY. CONTRACTOR SHALL TAKEOFF AND VERIFY SIZES AND QUANTITIES BY PLAN CHECK.

A SOIL MANAGEMENT REPORT SHALL BE PROVIDED BY LANDSCAPE CONTRACTOR AND SOIL AMENDMENTS SHALL BE FOLLOWED PER THE REPORT. PHYSICAL COPIES OF THE SOIL MANAGEMENT REPORT SHALL BE PROVIDED TO THE CLIENT, PROJECT LANDSCAPE ARCHITECT AND LOCAL AGENCY AS REQUIRED. THE SOIL MANAGEMENT REPORT SHALL CONFORM TO STATE AB1881 WATER EFFICIENT LANDSCAPE ORDINANCE (WELO) OR LOCAL AGENCY ADOPTED WELO. CONTRACTOR SHALL OBTAIN A SOILS MANAGEMENT REPORT AFTER GRADING OPERATIONS AND PRIOR TO PLANT INSTALLATION.

SAMPLES OF FERTILIZERS, ORGANIC AMENDMENT, SOIL CONDITIONERS, AND SEED SHALL BE SUBMITTED PRIOR TO INCORPORATION. CONTRACTOR SHALL FURNISH TO THE OWNER'S AUTHORIZED REPRESENTATIVE A CERTIFICATE OF COMPLIANCE FOR SUCH FURNISHED MATERIALS.

ALL WORK ON THE IRRIGATION SYSTEM, INCLUDING HYDROSTATIC, COVERAGE, AND OPERATIONAL TESTS AND THE BACKFILLING AND COMPACTION OF TRENCHES SHALL BE PERFORMED PRIOR TO PLANTING OPERATIONS.

LOCATIONS OF PLANT MATERIAL SHALL BE REVIEWED ON SITE BY THE OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO INSTALLATION.

TREES SHALL BE PLANTED NO CLOSER THAN TEN FEET (10') FROM UTILITIES.

TREES PLANTED WITHIN FIVE FEET (5') OF HARDSCAPE OR STRUCTURES SHALL BE INSTALLED WITH A ROOT BARRIER AS APPROVED BY THE OWNER'S AUTHORIZED REPRESENTATIVE.

CONTRACTOR MUST CONTACT THE CITY OF SAN JOSE ARBORIST AT 408-794-1924 TO VERIFY SPECIES (EVEN IF SHOWN ON THE PLANS), LOCATIONS, AND QUANTITIES OF ALL STREET TREES PRIOR TO ORDERING MATERIAL. IF STREET TREES ARE TO BE PLANTED IN TREE WELLS, FINAL LOCATION OF TREE WELLS SHALL BE DETERMINED BY THE ARBORIST PRIOR TO INSTALLATION OF SIDEWALK.

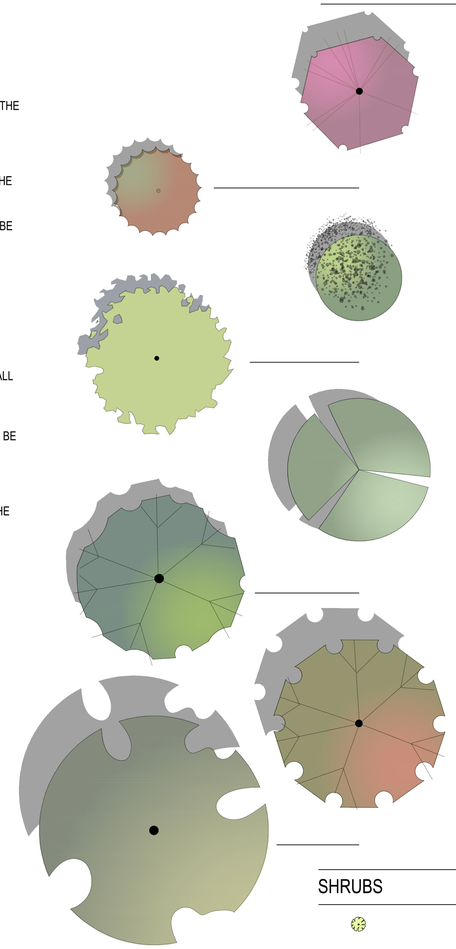
ALL PLANTING AREAS TO RECEIVE 3" THICK BARK MULCH LAYER. CONTRACTOR SHALL PROVIDE SAMPLE OF PROPOSED BARK MULCH FOR APPROVAL. BARK MULCH SHALL BE LYNGSO SMALL FIR BARK (3/4" TO 1-1/2") OR APPROVED EQUAL.

ALL PLANT MATERIAL SHALL BE SELECTED IN ACCORDANCE WITH THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1)
FOR STANDARD FORM TREES, CALIPER SIZE SHALL BE MEASURED 6" ABOVE THE SOIL LINE FOR CALIPERS EQUAL TO OR LESS THAN 4" FOR CALIPERS GREATER THAN 4", CALIPER SHALL BE MEASURES 12" ABOVE THE SOIL LINE. FOR MULTI-TRUNK TREES THE CALIPER SHALL BE ESTABLISHED BY TAKING THE AVERAGE OF THE CALIPER OF THE TWO LARGEST TRUNKS.
CALIPER IS MEASURED 6" ABOVE ORIGINATION POINT OF THE SECOND LARGEST TRUNK OR 6" ABOVE GROUND IF ALL TRUNKS ORIGINATE FROM THE SOIL.

CALIPER SIZES STANDARDS:
15 GALLON: 0.75-1.25"
24" BOX: 1.25-2"
36" BOX: 2-3.5"
48" BOX: 3.5-5"
60" BOX: 4-6"

WATER NEEDS CATEGORY BASED ON WUCOLS IV (JANUARY 2014) LANDSCAPE COEFFICIENT METHOD:

CATEGORY	*PERCENTAGE OF ETo*
(H) HIGH:	0.7-0.9
(M) MEDIUM:	0.4-0.6
(L) LOW:	0.1-0.3
(VL) VERY LOW:	<0.1



TREES

SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	MINIMUM CONTAINER SIZE	HxW	WUCOLS	FUNCTION
	6	ARBUTUS 'MARINA'	STRAWBERRY TREE	15 GALLON	25' X 20'	L	SMALL ACCENT TREE WITH ATTRACTIVE BARK
	49	CERCIS OCCIDENTALIS	WESTERN REDBUD	15 GALLON	20' X 15'	VL	SMALL ACCENT TREE WITH POP OF COLOR
	64	HETEROMELES ARBUTIFOLIA	TOYON (TREE FORM)	15 GALLON	30' X 15'	L	SMALL ACCENT TREE WITH POP OF COLOR
	22	LYONOTHAMNUS FLORIBUNDUS	CATALINA IRONWOOD	15 GALLON	40' X 25'	L	MEDIUM EVERGREEN TREE PROVIDING POLLINATOR HABITAT AND SCREENING
	33	OLEA EUROPAEA	OLIVE (MALE ONLY)	15 GALLON	30' X 30'	L	MEDIUM EVERGREEN TREE WITH DISTINCTIVE PALE FOLIAGE
	6	PINUS CANARIENSIS	CANARY ISLAND PINE	15 GALLON	70' X 30'	L	LARGE SOUND BARRIER TREE
	3	PISTACIA CHINENSIS	CHINESE PISTACHE	15 GALLON	30' X 30'	L	MEDIUM TREE WITH POP OF COLOR
	2	QUERCUS AGRIFOLIA	COAST LIVE OAK	15 GALLON	70' X 40'	VL	LARGE SPECIMEN SHADE TREE

SHRUBS

ACHILLEA MILLEFOLIUM 'ISLAND PINK'	ISLAND PINK YARROW	5 GALLON	1.5' X 2'	L	HABITAT AND NECTAR FOR POLLINATORS
AGAVE 'BLUE GLOW'	AGAVE	5 GALLON	2' X 3'	L	EVERGREEN ACCENT SUCCULENT
DISTICHLIS SPICATA	SALTGRASS	5 GALLON	2' X 2'	L	SALT-TOLERANT GRASS
ERIGERON GLAUCUS 'WAYNE RODERICK'	SEASIDE DAISY	5 GALLON	1' X 2'	L	LARGE FLOWERS FOR POLLINATORS
ERIOGONUM ARBORESCENS	SANTA CRUZ ISLAND BUCKWHEAT	5 GALLON	4' X 5'	VL	DROUGHT TOLERANT AND ATTRACTIVE BARK
EUPHORBIA CHARACIAS WULFENII	MEDITERRANEAN SPURGE	5 GALLON	3' X 3'	L	DROUGHT TOLERANT WITH BRIGHT FLOWERS
IRIS DOUGLASIANA 'CANYON SNOW'	CANYON SNOW DOUGLAS IRIS	5 GALLON	3' X 3'	L	EVERGREEN WITH BRIGHT FLOWERS
LEYMUS CONDENSATUS 'CANYON PRINCE'	CANYON PRINCE WILD RYE	5 GALLON	3' X 3'	L	DROUGHT TOLERANT WITH ATTRACTIVE FOLIAGE
LIMONIUM PEREZII	SEA LAVENDER	5 GALLON	2' X 3'	L	EVERGREEN WITH ATTRACTIVE FLOWERS
RIBES SANGUINEUM	RED-FLOWERING CURRANT	5 GALLON	8' X 5'	L	FLOWERS FOR POLLINATORS
RUBUS URSINUS	CALIFORNIA BLACKBERRY	5 GALLON	6' X 6'	L	FRUITING SHRUB PROVIDING HABITAT
SALVIA CLEVELANDII	CLEVELAND SAGE	5 GALLON	4' X 5'	L	EVERGREEN WITH ATTRACTIVE FLOWERS
SALVIA SPATHACEA	HUMMINGBIRD SAGE	5 GALLON	3' X 4'	L	DROUGHT TOLERANT, ATTRACTIVE FLOWERS

GROUNDCOVERS

36" O.C.	BACCHARIS PILULARIS 'PIGEON POINT'	DWARF COYOTE BUSH	5 GALLON	2' X 6'	L	DROUGHT TOLERANT, EVERGREEN
36" O.C.	CEANOTHUS 'CENTENNIAL'	CALIFORNIA LILAC	5 GALLON	1' X 5'	L	EVERGREEN WITH ATTRACTIVE FLOWERS
36" O.C.	VERBENA TENUISECTA	MOSS VERBENA	5 GALLON	1' X 5'	L	DROUGHT TOLERANT WITH ATTRACTIVE FLOWERS

BIOTREATMENT

CISTUS INCANUS 'CRETICUS'	PINK ROCKROSE	5 GALLON	3' X 3'	L	DROUGHT RESISTENT WITH BRIGHT FLOWERS
CHONDROPETALUM TECTORUM	SMALL CAPE RUSH	5 GALLON	2' X 3'	L	EVERGREEN ACCENT PLANT
JUNCUS PATENS	COMMON RUSH	5 GALLON	2' X 2'	L	EVERGREEN ACCENT PLANT
LIPPIA NODIFLORA	KURAPIA	5 GALLON	2" X 8'	L	NECTAR SOURCE FOR POLLINATORS
MIMULUS AURANTIACUS	STICKY MONKEY FLOWER	5 GALLON	3' X 3'	VL	BRIGHT FLOWERS FOR POLLINATORS
STIPA PULCHRA	PURPLE NEEDLEGRASS	5 GALLON	3' X 3'	VL	DROUGHT ADAPTED AND EROSION CONTROL

NOTES:
1. ALL TREES TO BE 15 GALLON UNLESS NOTED OTHERWISE AND ALL SHRUBS TO BE 5 GALLON UNLESS NOTED OTHERWISE.
2. BARK MULCH: ALL PLANTING AREAS TO RECEIVE A 3" THICK LAYER OF BARK MULCH.
3. BIOTREATMENT PLANTING AREAS TO RECEIVE A 3" THICK LAYER OF NON-FLOATABLE BARK MULCH.

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KB HOMES

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DRAWN BY:	TC
CHECKED BY:	CM
DATE:	DECEMBER 10, 2024
SCALE:	NOT TO SCALE

© HMH

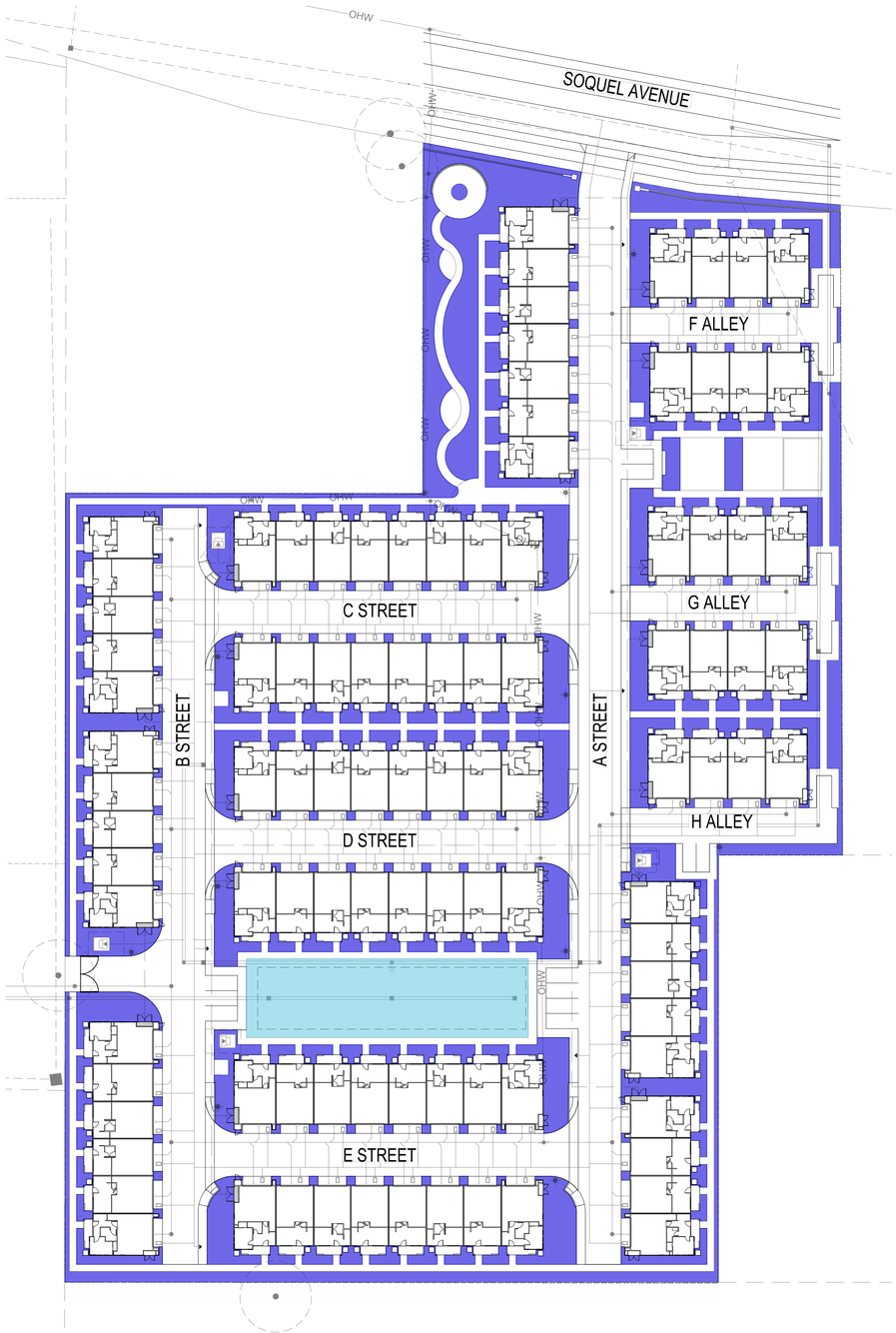
PLANTING LEGEND AND NOTES

L6

S:\PROJECTS\6986\00\LA\PLANNING\698600CL_TEMP.DWG

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Exhibit E



IRRIGATION ZONE LEGEND:

DRIP IRRIGATION FOR ORNAMENTAL PLANTING AND BUBBLERS FOR TREES

DRIP IRRIGATION FOR BIOTREATMENT AREA

IRRIGATION DESIGN CRITERIA:

1. FINAL DESIGN SHALL CONFORM TO AB1881 OR CITY ADOPTED WATER EFFICIENT LANDSCAPE ORDINANCE.
2. ALL PLANTING AREAS SHOWN WILL BE COMMONLY MAINTAINED BY THE OWNER AND IRRIGATED BY AN AUTOMATIC IRRIGATION SYSTEM.
3. IRRIGATION SYSTEMS WILL BE PERMANENT BELOW GROUND AUTOMATED SYSTEMS ADEQUATE FOR THE ESTABLISHMENT AND MAINTENANCE OF ALL PLANT MATERIAL. THESE SYSTEMS WILL BE INSTALLED AS SOON AS PRACTICAL AFTER GRADING AND PRIOR TO PLANT MATERIAL INSTALLATION AND HYDROSEEDING.
4. ALL TURF, TREE, SHRUB AND GROUNDCOVER AREAS WILL BE IRRIGATED BY A PERMANENT, AUTOMATIC, UNDERGROUND IRRIGATION SYSTEM. ALL SPRAY AREAS WILL BE IRRIGATED BY HIGH EFFICIENCY MATCHED PRECIPITATION RATE POP-UP SPRAY HEADS. TURF, TREE, SHRUB, AND GROUND COVER AREAS SHALL BE ON SEPARATE VALVES ACCORDING TO PLANT WATER REQUIREMENTS AND EXPOSURE.
5. ALL IRRIGATION SYSTEMS SHALL BE DESIGNED, MAINTAINED AND MANAGED TO MEET OR EXCEED MINIMUM EFFICIENCY.
6. ALL IRRIGATION EQUIPMENT SHALL BE SCREENED APPROPRIATELY FROM VIEW IN PUBLIC AREAS TO THE MAXIMUM EXTENT POSSIBLE.
7. THE FINAL IRRIGATION PLAN SHALL ACCURATELY AND CLEARLY IDENTIFY:
   - A. LOCATIONS AND SIZES OF WATER POINTS OF CONNECTION.
   - B. LOCATION, TYPE AND SIZE OF ALL COMPONENTS OF THE IRRIGATION SYSTEM, INCLUDING AUTOMATIC CONTROLLERS, MAIN AND LATERAL LINES, VALVES, SPRINKLER HEADS, RAIN SWITCHES, AND QUICK COUPLERS.
   - C. STATIC WATER PRESSURE AT THE POINTS OF CONNECTION.
   - D. FLOW RATE (GALLONS PER MINUTE), REMOTE CONTROL VALVE SIZE, AND DESIGN OPERATING PRESSURE (PSI) FOR EACH STATION.
   - E. HYDROZONE INFORMATION TABLE.
   - F. WATER USE CALCULATIONS.
8. A NEW IRRIGATION WATER METER SHALL BE INSTALLED AS PART OF LANDSCAPE IMPROVEMENTS, LOCATION TO BE DETERMINED.

GRAPHIC SCALE

40 0 20 40 80 160

(In Feet)

1 inch = 40 feet

HMH
Land Use Entitlements
Land Planning
Landscape Architecture
Civil Engineering
Utility Design
Land Surveying
Stormwater Compliance
1570 Oakland Road (408) 487-2200
San Jose, CA 95131 HMHca.com

SOQUEL AVENUE
SANTA CRUZ, CA
KB HOME

NO	DATE	DESCRIPTION

PROJECT NO:	6986.00
CAD DWG FILE:	698600CL_TEMP.DWG
DESIGNED BY:	KY
DRAWN BY:	TC
CHECKED BY:	CM
DATE:	DECEMBER 10, 2024
SCALE:	1" = 40'

© HMH

HYDROZONE PLAN

L7

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Exhibit E



I LANDSCAPE WALL



F PLAY SURFACING



C MAILBOX CLUSTER WITH OVERHEAD STRUCTURE



H CMU BLOCK PERIMETER WALL



E CLIMBING LOGS



B PICNIC TABLE



G MONUMENT SIGN



D DECOMPOSED GRANITE



A BENCH

HMH
Land Use Entitlements
Land Planning
Landscape Architecture
Civil Engineering
Utility Design
Land Surveying
Stormwater Compliance

1570 Oakland Road (408) 487-2200
San Jose, CA 95131 HMHca.com

SOQUEL AVENUE
SANTA CRUZ, CA
KB HOME

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PROJECT NO:	6986.00
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DRAWN BY:	TC
CHECKED BY:	CM
DATE:	DECEMBER 10, 2024
SCALE:	NOT TO SCALE

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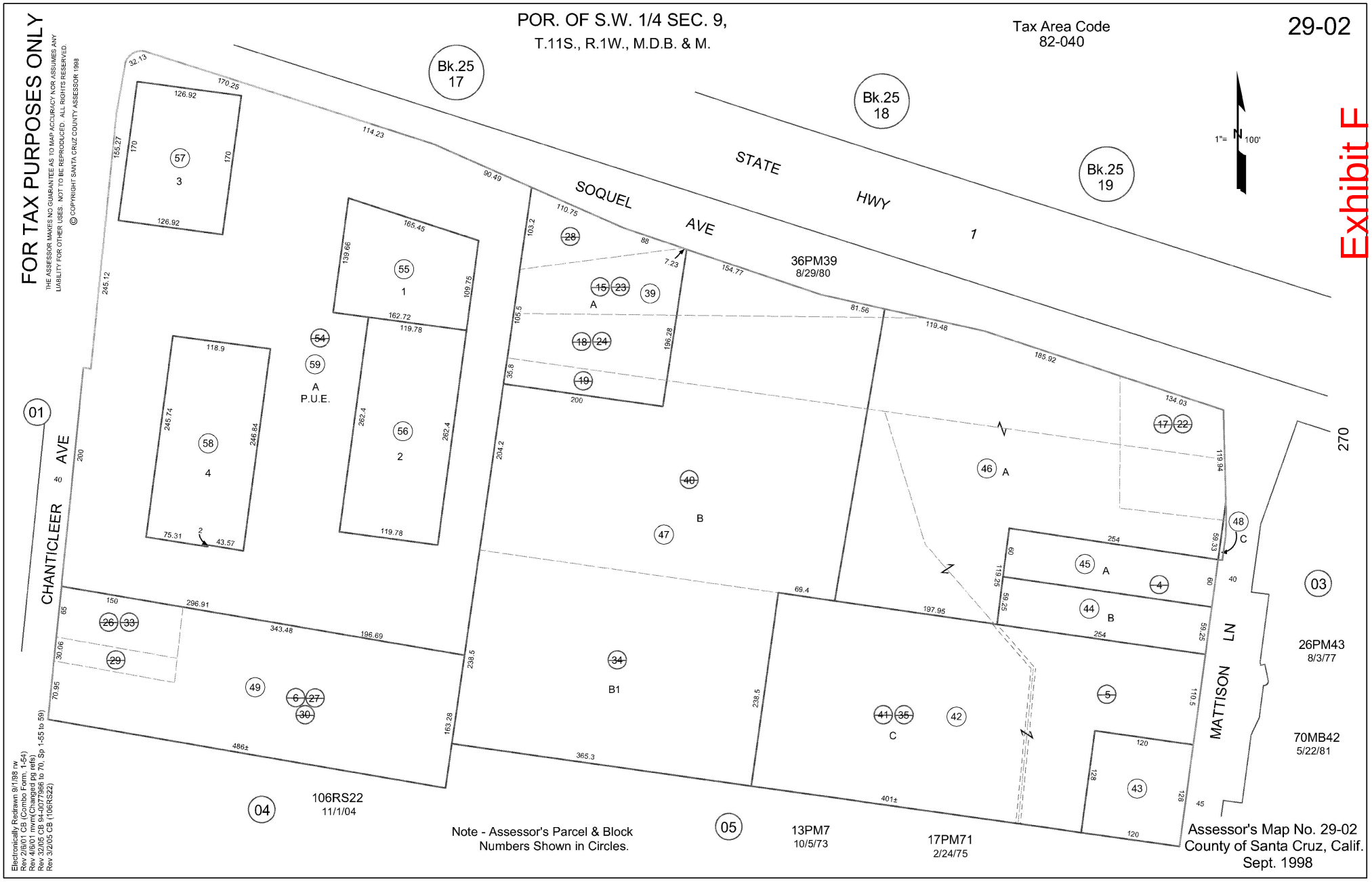
CONCEPT IMAGES

L8

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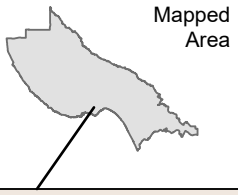
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Exhibit E


FOR TAX PURPOSES ONLY
THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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POR. OF S.W. 1/4 SEC. 9,
T.11S., R.1W., M.D.B. & M.
Tax Area Code
82-040
29-02
Exhibit F
Bk.25
17
Bk.25
18
Bk.25
19
STATE HWY 1
SOQUEL AVE
CHANTICLEER AVE
MATTISON LN
36PM39
8/29/80
26PM43
8/3/77
70MB42
5/22/81
106RS22
11/1/04
13PM7
10/5/73
17PM71
2/24/75
P.U.E.
01
03
04
05
Note - Assessor's Parcel & Block Numbers Shown in Circles.
Assessor's Map No. 29-02
County of Santa Cruz, Calif.
Sept. 1998
Electronically Redrawn 9/1/98 rw
Rev 2/6/01 CB (Combo Form, 1-54)
Rev 4/6/01 nvm(Changed pg refs)
Rev 32/05 CB 94-0077966 to 70, Sp 1-55 to 59)
Rev 3/2/05 CB (106RS22)

Santa Cruz County Planning Department

Parcel Location Map





Parcel: 02902147

☐ Subject Parcel

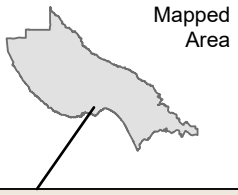
Map printed: 26 Nov. 2025

0 140 280
Feet

Exhibit F

Santa Cruz County Planning Department

Parcel General Plan Map





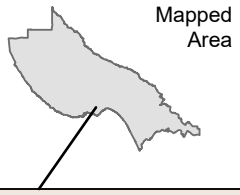
Subject Parcel

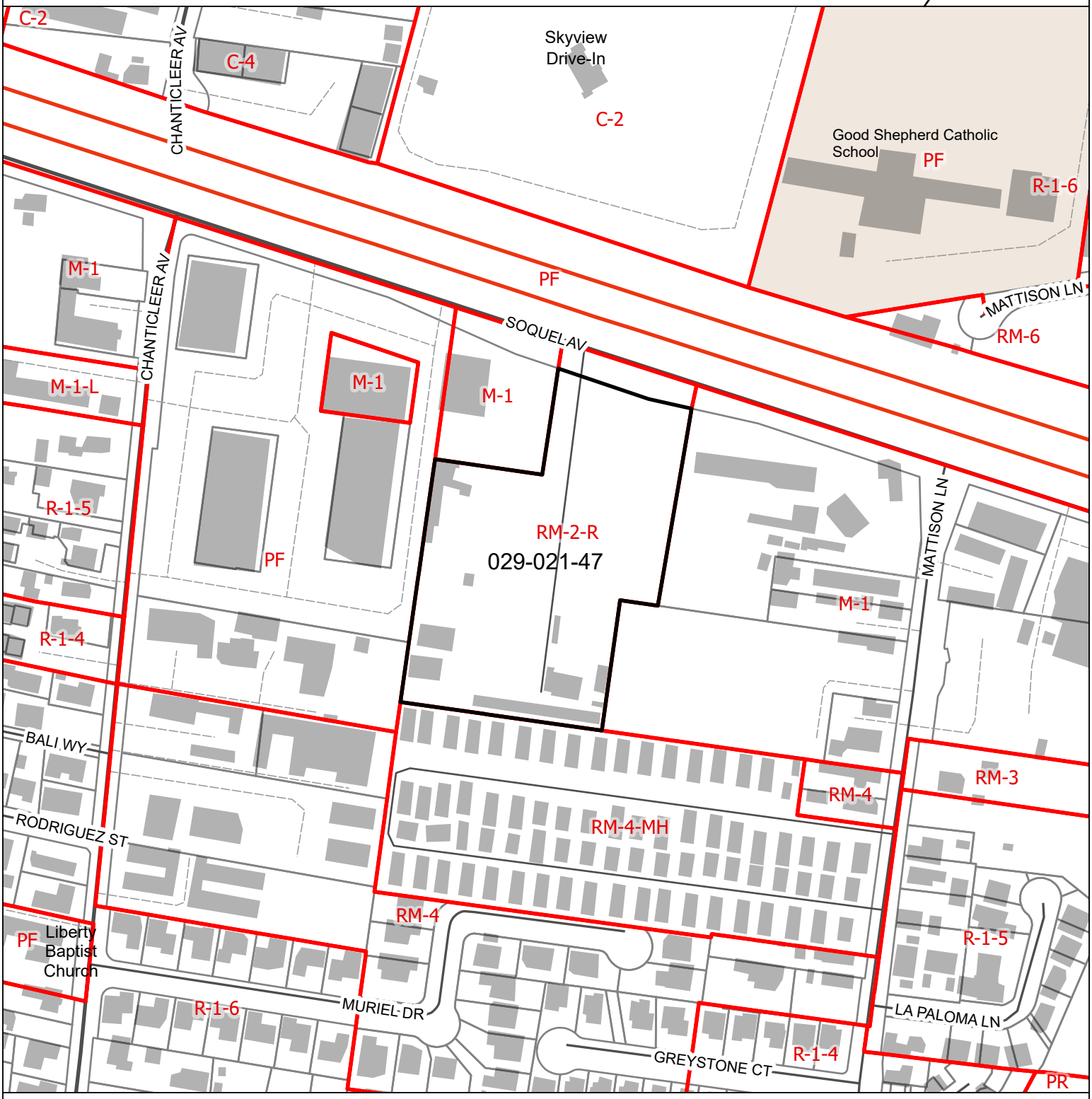
0 140 280
Feet

Exhibit F

Santa Cruz County Planning Department

Parcel Zoning Map





Subject Parcel

0 140 280
Feet

Exhibit F

Parcel Information

Services Information

Urban/Rural Services Line:	_X_ Inside __ Outside
Water Supply:	City of Santa Cruz Water District
Sewage Disposal:	Santa Cruz County Sanitation District
Fire District:	Central Fire District
Drainage District:	Zone 5

Parcel Information

Parcel Size:	4.97 Acres
Existing Land Use - Parcel:	Commercial
Existing Land Use - Surrounding:	Commercial, Residential, Public Facilities
Project Access:	Soquel Avenue
Planning Area:	Live Oak
Land Use Designation:	R-UH (Urban High Density Residential)
Zone District:	RM-2-R (Multifamily Residential (2,000 square feet per Unit), Regional Housing Need Combining District)
Coastal Zone:	__ Inside _X_ Outside
Appealable to Calif. Coastal Comm.	__ Yes _X_ No

Technical Reviews: Soils Report Review, Biotic Report Review

Environmental Information

An Addendum to the Final Initial Study/Mitigated Negative Declaration (dated November 2008, 2008 IS/MND) was prepared for the proposed project by Integral Consulting Inc. (dated October 2025) and is on file at the CDI Planning Division.

CITY OF SANTA CRUZ
Water Department

Surf City Saves
Water For Our Future

WATER SERVICE INFORMATION FORM

June 27, 2025

Owner: Paz Llc
Site Address: 5940 Soquel Ave, Santa Cruz
Site APN: 029-021-47
Project Description: 100 Attached Townhome Units

Your project is located within the City of Santa Cruz Water Service area.The subject parcel is currently an undeveloped lot, without water service, and is subject to the following conditions:

1. Fire service as required by the Central Fire Protection District (CFPD). CFPD phone number: (831) 685-6698.

2. CONSTRUCTION SITE WATER:

   The project team is required to establish a source of construction site water prior to the initiation of demolition.

   There are two options for construction site water use in this project:

   - Contact Water Engineering to facilitate the use of a SCWD provided hydrant meter.

   - Contact Water Engineering to facilitate the issuance and use of a SCWD Bulk Water permit.

   Please coordinate with Water Engineering staff to facilitate the preferred method.

3. DEDICATED IRRIGATION:

   Dedicated irrigation service is required for residential and commercial landscaping measuring over 5,000 square feet in area as determined by the Water Conservation Section. Irrigation sub-meter that reads in cubic feet is required on commercial landscaping under 5,000 square feet. An equivalently sized reduced pressure backflow device located downstream of the meter or sub-meter is required per SCWD standard details.

4. PLAN SET REVISIONS REQUIRED:

   Provide a utility site plan with existing water main & service locations, types, and sizes. Provide new water service locations, types, and sizes with new domestic, irrigation, and fire service backflow device type, size, and locations. Please provide all applicable hydraiulic calculations. Provide call outs to new or existing services referencing SCWD standard details.

   For an official assessment upon submittal of a county building permit please include at minimum the following, (project description, site plan, utility plan, floor plans, plumbing fixture counts, hydraulic calculation, landscape plan set). An SCWD Water Engineering service sizing assessment will be conducted and a updated SCWD Water Service Information Packet (WSI) will be provided with any applicable plan review comments.

Exhibit H

If you have any questions, please contact the Water Department Engineering Division at (831) 420-5210

Sincerely,

Dean Randazzo
City of Santa Cruz | Water Dept., Engineering
212 Locust Street, Suite C
Santa Cruz, CA 95060

Exhibit H

Docusign Envelope ID: 20930B6D-C162-4E47-A436-26EC01322C23

SANTA CRUZ COUNTY SANITATION DISTRICT

701 OCEAN STREET, SUITE 410 · SANTA CRUZ, CA · 95060-4073
(831) 454-2160 · FAX (831) 454-2089 · TDD: (831) 454-2123 · WWW.SCCSD.US
MATT MACHADO, DISTRICT ENGINEER

MAY 28, 2025

JEFF MCMULLEN
KB HOME SOUTH BAY
5000 EXECUTIVE PARKWAY, SUITE 125
SAN RAMON, CA 94583

SUBJECT:	SEWER AVAILABILITY AND DISTRICT'S CONDITIONS OF SERVICE FOR THE FOLLOWING PROPOSED DEVELOPMENT
APN:	029-021-47
PARCEL ADDRESS:	5940 SOQUEL AVENUE
PROJECT DESCRIPTION:	CONSTRUCT TOWNHOME DEVELOPMENT WITH 100 DWELLING UNITS ON EXISTING VACANT LOT

Dear Mr. McMullen:

The District has received your inquiry regarding sewer service availability for the subject parcel(s). Sewer service is available in Chanticleer Lane as shown on plans submittal for DRG 241226 for the subject development. The location of the private sewer shown on these plans requires that the applicant secure a recorded private sewer easement prior to building permit issuance.

This parcel is within the Rodeo Basin sewer moratorium. Sanitation District improvement projects are actively being implemented to address the sewer moratorium. As such, sewer availability for the full 100 dwelling units in this proposal has been deemed feasible at this time.

This notice is valid for one year from the date of this letter. If, after this time frame, this project has not yet received approval from the Planning Department, then this determination of availability will be considered to have expired. If that occurs or is likely to occur prior to an upcoming submittal or public hearing, please call us ahead of time for a new letter. At that time, we can evaluate the then proposed use, improvements, and downstream capacity, and provide a new letter.

Also, for your reference, we have attached a list of common items required during the review of sanitation projects. Thank you for your inquiry. If you have any questions, please call Bryan Wardlow at (831) 454-2160.

DocuSigned by:
528D647137C44D4...

Yours truly,
MATT MACHADO
District Engineer

By:

Ashleigh Trujillo
Sanitation Engineer

BW/arg:25-065.docx
Copy to: Planning Department

Exhibit I

Docusign Envelope ID: 20930B6D-C162-4E47-A436-26EC01322C23

Common Items Required During the Review of Sanitation Projects

What to show on the drawings: When you begin the design process, please show:

On the plot/site/utility plan:

1. Location of any **existing** on-site sewer lateral(s), clean-out(s), and connection(s) to existing public sewer on the site (plot) plan.

2. Location of any **proposed** on-site sewer lateral(s), clean-out(s), and connection(s) to existing public sewer on the site (plot) plan.

   Place a note, *"Existing" or "(E)"*,on each existing item that is to be removed.
   Place a note, *"To be removed"*, on each existing item that is to be removed.
   Place a note, *"New" or "(N)"*, on each item that is to be new.

On a floor plan:

1. All plumbing fixtures both existing and new (label *"(E)"* or "*(N)*") on a floor plan of the entire building. Completely describe all plumbing fixtures according to table T-702.1 of the California Plumbing Code. (Sanitation District Code sections 7.04.040 and 7.04.430)

Design and Construction Standards

The project sewer design and connection of the project to the Santa Cruz County Sanitation District system will be required to conform to the County of Santa Cruz Design Criteria (CDC) Part 4, Sanitary Sewer Design, February 2017 edition. Reference for County Design Criteria:
http://www.dpw.co.santa-cruz.ca.us/Portals/19/pdfs/Design%20Crit/DESIGNCRITERIA.pdf

New Connection

If the proposed plans will involve one or more new sewer connections, we must issue a new sewer connection permit for each new connection. The final connection charges can be determined only after the District and, as needed, other Department of Public Works divisions have reviewed and approved the final engineered sewer improvement plans. (Sanitation District Code section 7.04.410)

Tentative, parcel, or final map required

When any new *tentative, parcel, or final* map is required, please show the following on the improvement plans:

1. All adjacent or impacted roads and easements,
2. All on- and off-site sewer improvements needed to provide service to each lot or unit proposed.

The plans must conform to the County's "Design Criteria."

If a tentative, parcel, or final map is NOT required, please provide to the District written proof of recordation (in the form of copies of the recorded documents) of any and all existing or proposed easement(s).

Non-residential water use

Provide to the District a written estimate the amount of domestic water (average gallons per day) that will be used on this parcel after it is fully developed. You may need to engage an engineer or other knowledgeable person to provide an accurate estimate. This information will be used in the determination of both fees and waste pretreatment requirements. Connection permits can only be issued after these requirements are determined. (Sanitation District Code section 5.04.100)

Exhibit I

Docusign Envelope ID: 20930B6D-C162-4E47-A436-26EC01322C23

Multi-unit development with a private collector line

If the development will require a private collector line serving several separate units or parcels, which will be individually and separately owned, prior to any land split or building permit, the applicant must form a homeowners' association with ownership and maintenance responsibilities for all on-site sewers for this project. Please reference this homeowner's association directly on the tentative map and final map, as well as in the Association's recorded CC&R's. Please record those CC&Rs, and provide a copy of the recorded documents, with proof of recordation, to the District prior to the filing of the final map.

Exhibit I

County of Santa Cruz

Department Of Community Development and Infrastructure

701 OCEAN STREET, FOURTH FLOOR, SANTA CRUZ, CA 95060-4070
Planning (831) 454-2580 Public Works (831) 454-2160
https://cdi.santacruzcountyca.gov/

October 6, 2025

KB Home South Bay
Attn: Troy Bowser
tbowser@kbhome.com

Subject: 5940 Soquel Avenue - Biotic Review
APN: 029-021-47
Application #: REV241245

Attachment 1. Biotic Report
Attachment 2. Arborist Report

Dear Mr. Bowser,

The Planning Division received and reviewed a Biotic Report dated August 2025 prepared by Integral Consulting Inc., and an Arborist Report dated November 12, 2024 prepared by HMH for APN 029-021-47 where a multi-family residential development is proposed (Attachments 1 and 2). The Biotic Report evaluates habitat conditions in the project footprint for special-status species with potential to occur in this portion of Santa Cruz County and assesses presence/absence of sensitive habitats. The arborist report identifies and evaluates existing trees on APN 029-021-47 and adjacent properties and assesses potential tree impacts that would result from the proposed project.

The proposed project involves the construction of an approximately 5-acre multi-family residential development with 100 townhome-style condominiums and associated infrastructure. The Project will include community amenities, landscaping, bioretention facilities for stormwater treatment, and a new seasonal wetland which will be created and protected onsite as part of the development. Project implementation would include the demolition and removal of all existing onsite structures and trees, grading of the entire Project site, and construction of project components.

The project will also include road frontage improvements along Soquel Avenue and improvements to the stormwater system that services the project site and surrounding area. Improvements to the existing storm drainage system along Soquel Avenue are required to address drainage from the site and the existing sub-standard system. Storm water from the site would be directed to a new drainage system installed along Soquel Avenue within the existing asphalt roadway which will empty into Rodeo Gulch. The outfall design and location shown on the project plans is preliminary and consists of a baffle and vegetated rip-rap on the upper banks of Rodeo Gulch in the public right of way.

Environmental Planning Staff visited the project site on August 5, 2025 and September 23, 2025. The summary and evaluation below are based on information obtained through review of the attached Reports and confirmed through field observations made during the site visits. Other sources consulted during report review include the California Natural Diversity Data Base (CNDDB), the California Wildlife Habitat Relationships (CWHR) information system, the United States Fish and Wildlife Service (USFWS) Environmental Online Conservation System (ECOS), Santa Cruz County GIS Maps, and aerial imagery of the project site.

Baseline Environmental Conditions

The Study Area covered in the Biotic Report includes the entire approximately 5.2-acre parcel (029-121-47) where a multi-family residential development is proposed, as well as an approximately 0.07 acre area within the Rodeo Gulch riparian corridor where a storm drain outfall is proposed. For the purposes of this Biotic Review, the "Project Site" consists of the approximate location where proposed development would occur on APN 029-121-47; the 'Outfall Site" consists of the approximate location where the proposed storm drain outfall may occur approximately 1600 feet to the east of the Project Site.

The project site is located within an urbanized area surrounded by a mix of light-industrial, commercial, residential, and institutional uses including a mobile home park directly to the south, a horticultural nursery to the east, and highway 1 to the north across Soquel Avenue. Existing uses on parcel 029-021-47 include a salvage yard, towing service, storage, and concrete business. Storage containers, vehicles, boats, and campers are stored throughout the property. There is a single ingress/egress point from Soquel Avenue and coarsely paved internal roadways throughout the property. The entire project site and the adjoining properties are developed or otherwise disturbed.

The Biotic Report identifies four natural communities in the project site: non-native grassland, seasonal wetland, ruderal, and ornamental/urban. The entire 5.2-acre parcel has been heavily disturbed by former and current industrial uses. Vegetation is sparse and mostly ruderal and non-native. The Biotic Report identifies multiple artificial wetlands and other waters, at the southwestern, northern, and northeastern edges of the project site. These features are associated with substandard stormwater drainage and are located in topographic low points of the property. The location of these features is depicted in Appendix A Figure 4 of the attached Biotic Report. While these features meet the three parameter criteria that define a wetland, in their current condition they represent highly degraded stormwater infrastructure and have very low habitat value for wildlife or water quality due to their constant level of disturbance. The arborist report identifies 9 trees scattered on the project site including 8 non-native ornamental species that were introduced to the property, and one coast live oak.

The potential outfall site is comprised of riparian woodland dominated with an overstory of coast live oak and willow. The understory is a mix of native and non-native shrubs and herbaceous species. The Arborist Report and Biotic Report do not include a tree inventory or evaluation of the individual trees within the outfall site.

Analysis

The project site has been heavily disturbed by former and current industrial uses. Vegetation is sparse and mostly ruderal and non-native. Stormwater features identified on the project site as artificial seasonal wetlands are highly degraded and have very low habitat value for wildlife. The project includes creation of a protected seasonal wetland onsite to compensate for impacts to these features. The completed project will result in improvements to the existing sub-standard storm drainage system and will improve overall habitat quality and water quality on the site.

Final design of the new storm drainage system along Soquel Avenue and outfall into Rodeo Gulch is still underway. The Biotic Report provides estimated impacts of approximately 0.07 acre to the Rodeo Gulch riparian corridor. The species, size, location, and quantity of trees that will require removal in the outfall site is currently unknown and the final amounts of temporary and permanent impacts to the Rodeo Gulch riparian corridor have not been calculated. Every effort must be made to avoid and minimize removal of native trees and other direct and indirect impacts that may result in mortality of trees within the riparian corridor. Conditions have also been included below to ensure that all unavoidable permanent and temporary impacts to sensitive habitat are appropriately evaluated prior to construction.

The project site provides marginal habitat for nesting birds and roosting bats. The outfall site contains Oak Woodland, Riparian Woodland, and habitat for special-status species including nesting birds, roosting bats, and San Francisco Dusky footed woodrat which was observed immediately adjacent to the outfall area.

Trees and shrubs and grassland in and adjacent to the study area also provide potential roosting and nesting habitat for protected bats, birds of prey, and migratory birds. Common bat species are protected under the California Fish and Game Code. Birds of prey and migratory birds are offered protection under the California Fish and Game Code, and the Federal Migratory Bird Treaty Act (MBTA). Under the MBTA, it is "unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill" a migratory bird unless and except as permitted by regulations.

Habitat for special status plant species does not occur in the project site or the outfall site. No sensitive plant species were observed during field surveys. No special-status plants are expected to occur, and project implementation would not result in impacts to special-status plants.

Oak Woodlands, Riparian Woodland, Wetlands, and habitat for special-status species are considered "sensitive habitats" under Santa Cruz County's Sensitive Habitat Protection Ordinance (Chapter 16.32). Riparian corridors are offered additional protection under the County's Riparian Corridor and Wetland Protection Ordinance (Chapter 16.30). County defined riparian corridors include lands extending 50 feet from a perennial stream, lands containing a riparian woodland, and lands within 100 feet of a wetland. Unless exempt, development activities are prohibited within Riparian Corridors unless Riparian Exception Findings (SCCC 16.30.060) are met, and a Riparian Exception is approved by County Planning. The outfall site is located in the riparian corridor of Rodeo Gulch. Drainage features required as a condition of County approval of a permitted project are exempt from the requirement to obtain a riparian exception.

A Riparian Exception would be required for encroachment into the artificial seasonal wetlands on the project site. These wetland features are artificial in nature and associated with substandard storm water drainage on site. The project proposal includes improving site conditions through installation of bioretention facilities for stormwater treatment and creation of a new seasonal wetland. Granting of a riparian exception for this project would be in accordance with the purpose of Chapter 16.30 and the objectives of the General Plan and would improve drainage and water quality in the area in which the project is located. There will be no net loss of wetlands on the site due to the creation of a new 0.1-acre seasonal wetland proposed as part of the project. Conditions are included below to ensure that this feature is designed and constructed to exceed the functions of the existing artificial wetlands and other waters on the project site.

Nine trees are proposed for removal on the project site. The project plans include a comprehensive landscape plan that shows many trees and shrubs planted throughout the parcel. Landscaping activities associated with the project will result in a net increase in tree cover on the parcel.

Conclusion

Most of the proposed development will occur on a parcel that is heavily degraded. The storm drain outfall will occur within sensitive riparian habitat. There are sensitive habitat constraints that must be considered prior to and during construction. Conditions have been included below to ensure that potential impacts to special-status species and their habitats, and other sensitive habitats will be avoided and/or minimized to the maximum extent possible during project implementation and post project completion. Conditions have also been included to ensure that permanent and temporary impacts to wetlands and riparian woodland habitat are appropriately evaluated and compensated for.

If you have any questions regarding this letter, please feel free to contact me via email at Juliette.Robinson@santacruzcounty.us.

Sincerely,

Juliette Robinson
Resource Planner IV, Biologist

CC: Leah MacCarter, Area Resource Planner
Jonathan DiSalvo, Project Planner

5940 Soquel Avenue - Biotic Review

Exhibit J

Conditions of Approval

The Conditions below must be incorporated into any development permits issued for parcel 029-021-47 and shall be incorporated into all phases of development for this project. Adherence to these conditions will ensure that proposed development is consistent with County policies to avoid and minimize impacts to sensitive habitats and special-status species.

Final biotic approval will occur during Environmental Planning review of the permit applications. Environmental Planning Staff will review the proposed project to ensure consistency with the Conditions below.

General Conditions

I. A copy of this letter, including all attachments, shall be submitted with any future permit applications.

II. To reduce potential impacts to sensitive habitats and special-status species that may result from artificial light, the following shall be adhered to:

   A. The project shall avoid the installation of any non-essential artificial lighting.

   B. All essential outdoor lighting shall be limited through the use of timers and/or motion sensors.

   C. All essential outdoor lighting shall be shielded, cast downward, and directed such that it does not shine off the property into surrounding areas, other parcels, or the night sky.

III. No work shall occur within a County defined Riparian Corridor unless the Riparian Exception Findings are met, and a Riparian Exception is authorized.

IV. Impacts to riparian woodland habitat including removal of trees and native understory vegetation shall be avoided and minimized to the maximum extent possible. Avoidance of mature oak trees shall be considered priority. Trees to be retained shall be protected at or outside of the dripline. If work must occur within the dripline of retained trees, impacts shall be evaluated by a licensed arborist and protective measures, as recommended by the arborist, shall be adhered to.

V. The new seasonal wetland shall be identified as a "Protected Habitat Area" and protected through placement of permanent fencing and signs to prevent trespassing after construction is complete.

VI. To ensure that impacts have been accurately and consistently evaluated and to demonstrate compliance with Santa Cruz County's requirement to avoid and minimize impacts, the following shall be adhered to:

   A. A final Project Impact Analysis prepared by a qualified biologist and/or arborist shall be submitted with the building permit application for review and approval by Environmental Planning Staff. The Impact Analysis must be consistent with the final project plans and must include the following minimum elements:

      1. Discussion and table with the final calculations for project impacts to sensitive habitat including:

         a. Areas of temporary and permanent impact to riparian habitat associated with the storm drain outfall.

         b. Areas of temporary and permanent impact to wetland habitat.

2. Discussion of tree impacts including:
    a. Species, size, location, and quantity of trees that will require removal for installation of the proposed storm drain outfall. (i.e. unavoidable tree removals; numbers must be consistent with project plans).
    b. Potential impacts to trees proposed for retention where work may occur within the dripline and tree protective measures provided by a licensed arborist.
3. Explanation of how avoidance and minimization of impacts to sensitive habitats were achieved through project design and site selection and reasons for unavoidable impacts to sensitive habitats.

VII. To comply with Santa Cruz County General Plan Policy ARC-3.2.1 and SCCC Section 16.32.090 (B)(3), and to compensate for impacts to sensitive habitat that will result from the project, the following shall be adhered to:

A. All areas temporarily disturbed in the riparian woodland shall be re-vegetated with native plant species with the purpose of restoring the native plant structure and species composition of surrounding native habitat.

B. Creation of a new seasonal wetland with a minimum area of 0.1-acre shall be created within the project site.

C. Riparian Habitat permanently impacted as a result of the storm drain outfall shall be compensated for through in-kind habitat restoration at a minimum 3:1 ratio on site or at an approved offsite location.

D. Oak trees removed or otherwise permanently impacted as a result of the project shall be compensated for through in-kind replacement plantings onsite or at an approved off-site location at the following ratios: Trees between 6 and 23.5 inches DBH shall be replaced at 3:1 ratio. Trees 24 inches or greater DBH shall be replaced at 5:1.

E. A Habitat Restoration and Mitigation Plan prepared by a qualified biologist or restoration specialist must be submitted with the permit application for review and approval by Environmental Planning Staff. The Restoration Plan should be focused on restoring/establishing native plant structure and species composition and enhancing the functional capacity and biological productivity of seasonal wetland habitat and riparian habitat and must include the following minimum elements:

    1. A table with the final post-construction permanent and temporary impact calculations.
    2. A map of all designated restoration areas on site showing:
        a. Identification of areas on site where temporary disturbance and re-establishment of native habitat shall occur.
        b. Identification of additional restoration areas intended to compensate for permanently impacted sensitive habitat including riparian habitat and the new seasonal wetland.
        c. The final building envelope (permanent impact area).

3. Methods for establishment of riparian woodland habitat which may include a combination of active planting and passive restoration treatments to promote natural re-establishment of certain native woodland plant species.
4. Methods for creation/establishment of a seasonal wetland which shall include the following minimum elements:
    a. Confirmation that the geotechnical properties of the underlying and surrounding soil support the seasonal hydrology (water retention) required for wetland function.
    b. A plant palette including both container plants and wetland seed mix developed to match anticipated hydrologic conditions within the new wetland basin along the wetland fringe and the pool-bottom. The wetland fringe shall include species adapted to drier, periodically saturated conditions. The pool-bottom shall support species tolerant of prolonged inundation.
5. Methods for ongoing management of the seasonal wetland which shall identify the responsible party for maintenance in perpetuity.
6. A planting plan with species, size, and locations of all restoration plantings needed to establish native plant structure and species composition of restored native habitat. The planting plan shall include appropriate wetland plantings as outlined above and the replacement trees required under Condition VI D. Other plantings shall occur at sizes and ratios determined by the restoration specialist to adequately establish native habitat while maximizing plant health and survivability of individual plants.
7. Plan for removal of non-native species on the parcel and a management strategy to control re-establishment of invasive non-native species commensurate with the scale of the proposed development.
8. Information regarding the methods of irrigation for all restoration plantings.
9. A plan showing the placement of split rail fencing and location of signs as needed to delineate the Protected Habitat Areas in the field and prevent trespassing. The location of fencing and number and location of protective signs shall be confirmed by the biologist based on site conditions and maximum protection of these habitat areas.
10. Any seed mix used for erosion control purposes on temporarily impacted areas and exposed soils shall be limited to seeds of native species common to the surrounding or restored habitat and/or sterile seeds.
11. A 5-year Management Plan for maintenance and monitoring of restored areas, including a proposed mechanism for evaluating success.
12. Identification of any off-site location required for replacement tree plantings including a map of all designated restoration areas on that site and a planting plan with species, size, and locations of all restoration plantings.
    a. Property owner approval for a deed restricted mitigation site must be provided for any off-site mitigation locations. An agreement for ongoing access to monitor and maintain the plantings for the required monitoring period must also be included.

F. Annual reports outlining the progress and success of the restoration and monitoring shall be submitted to the County Restoration Coordinator: restoration.coordinator@santacruzcountyca.gov by December 31 of each monitoring year.

Design Conditions

VIII. The final plans shall include the following:

A. The development footprint delineated with a **thick bold line.** The development footprint (total project impact area) encompasses the building envelope (permanent impact area; structures and paving) and all temporary disturbance associated with a project including grading, installation of utilities, installation of the stormwater pipe and outfall area, access routes, deposition of refuse or debris, and areas needed for creation and management of defensible space. The development footprint shall mark the limits of work within which all temporary and permanent disturbance associated with the project may occur.

B. Native trees to be retained near or within the project impact area shall be identified on the plans and labeled for protection.

C. Tree protection specifications and measures provided by a certified arborist to reduce impacts to retained trees shall be listed.

D. Everything outside of the development footprint shall be marked on the plans for avoidance during construction and fenced or flagged as outlined in the construction conditions below.

E. The entire area within the new 0.1-acre seasonal wetland shall be clearly designated and labeled as "Protected Habitat Area- seasonal wetland" on the project plans. The planting palette on the project plans shall match the requirements outlined in Condition VII above.

F. A plan sheet showing any required onsite restoration or mitigation planting areas.

G. These Biotic Conditions of Approval shall be included on the project plans.

Construction Conditions

IX. To protect sensitive habitats and special-status species during project related construction activities, the following shall be adhered to for all phases of the project:

A. Prior to any site disturbance, a pre-construction meeting shall be conducted. The purpose of the meeting will be to ensure that the biotic Conditions of Approval are communicated to the various parties responsible for constructing the project. The meeting shall involve all relevant parties including the project proponent, construction supervisor, Environmental Planning Staff, and the project biologist and the project arborist.

B. Prior to commencement of construction, high visibility fencing and/or flagging shall be installed with the assistance of a qualified biologist and/or arborist around all sensitive habitat areas to indicate the limits of work and prevent inadvertent grading or other disturbance within the adjacent sensitive habitat.

1. No work-related activity including equipment staging, vehicular access, grading and/or vegetation removal shall be allowed outside the designated limits of work.

2. Native trees to be retained near or within the project impact area shall be identified, protected with high visibility fencing at or outside of the dripline, and avoided during

construction as sensitive habitat unless additional protection measures, provided by a qualified arborist, have been reviewed and approval by Environmental Planning Staff.

3. The fencing shall be inspected and maintained daily until project completion.

C. Prior to commencement of construction every individual working on the Project must attend biological awareness training by a qualified biologist prior to working on the job site. The training shall include, at minimum, information regarding the following:

1. Location and identification of sensitive habitats and all special-status species with potential to occur in the project area.
2. The importance of avoiding impacts to sensitive habitats, and the steps necessary if any special-status species is encountered at any time.
3. Best management practices to be implemented, identification of the limits of work, and project-specific avoidance measures and permit conditions that must be followed.

X. The following recommended Avoidance and Minimization Measures for special status species outlined in Section 8.3.2 of the attached Biotic Report dated August 2025 prepared by Integral Consulting Inc., shall be adhered to:

1. If construction and tree removal activities must occur during the migratory bird nesting season (February 1 through September 15), an avian nesting survey of the Project site and accessible contiguous habitat within 300 feet of all impact areas shall be conducted for active nests of protected migratory birds. The avian nesting survey shall be performed by a qualified wildlife biologist within 7 days prior to the start of ground or vegetation disturbance or building demolition activities. If an active bird nest is found, the nest shall be flagged and mapped on the construction plans, along with an appropriate no disturbance buffer, which shall be determined by the biologist based on the species' sensitivity to disturbance (generally 50-250 feet for passerines and 250-500 feet for raptors and special-status species). The nest buffer shall be demarcated in the field with flagging and stakes or construction fencing. Work within the nest avoidance buffer shall be prohibited until the juveniles have fledged.
2. A bat habitat assessment and preconstruction bat survey shall be conducted within 14 days of the removal of any trees or demolition of buildings within the Project site. The biologist shall have access to all structures and interior attics, as needed. The survey shall consist of an acoustic and visual emergence survey for bats, completed by a qualified biologist with experience identifying bat roosts and behavior. If a colony of bats is found roosting in a structure or vegetation, surveys will determine the species present and the type of roost, such as day, night, or maternity roost. If a non-maternity and non-wintering bat colony is found, the biologist shall develop and implement acceptable passive exclusion methods in coordination with or based on CDFW recommendations to ensure their protection and to avoid unnecessary harm. If a maternity colony or overwintering colony is found on the project site, then the qualified biologist shall establish a suitable non-disturbance buffer around the location in coordination with CDFW. The non-disturbance buffer shall remain in place until the qualified biologist determines that the maternal colony or wintering roost is no longer active.
3. During the preconstruction surveys for nesting birds, the qualified biologist shall survey for San Francisco dusky woodrat middens within and adjacent to the outfall construction area; all nests (active and inactive) shall be mapped and flagged. To the extent feasible, San

Francisco dusky woodrat nests shall be avoided during construction. If any existing nests can be avoided, they shall be isolated from the work area with the installation of wildlife exclusion fencing. If individual woodrats are found within the Project work area during preconstruction surveys, work will not commence until the individual leaves the work area of its own volition. If woodrat middens are observed within the Project work area during preconstruction surveys, a relocation plan for woodrat nests affected by the Project will be prepared and approved by CDFW prior to implementation.

XI. Additional construction conditions may be issued during Environmental Planning review of the permit applications based on review of the Impact Analysis and the final Project Impact Analysis required under Condition VI A above.

Prior to Final

XII. Prior to final inspection of the improvements for Phase I of the project, the following shall occur:

A. The establishment and planting of all restoration areas intended to compensate for riparian habitat impacted by the installation of the storm drain outfall outlined must be completed prior to final inspection of the improvements for Phase I of the project. And shall be inspected and approved by Environmental Planning staff.

XIII. Prior to final building inspection the following shall occur:

A. Establishment and planting of all restoration areas as outlined in the final approved Habitat Restoration and Mitigation Plan and placement of protective fencing and signs around the Protected Habitat Area shall be inspected and approved by Environmental Planning staff.

5940 Soquel Avenue Supplemental Biotic Report

County of Santa Cruz, CA

Prepared for
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Prepared by

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433 Visitacion Avenue
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August 2025

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ACRONYMS AND ABBREVIATIONS

AMM	Avoidance and Minimization Measures
APN	Accessor Parcel Number
BMP	Best Management Practices
C-1,2	Culverted Waters
CDFW	California Department of Fish and Wildlife
CNDDB	California Natural Diversity Database
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CNPS	California Native Plant Society
CWA	Clean Water Act
CFR	Code of Federal Regulations
EIR	Environmental Impact Report
ESD	Environmental Services Division
FESA	Federal Endangered Species Act
Integral	Integral Consulting Inc.
IPaC	Information for Planning and Consultation
IS/MND	Initial Study/Mitigated Negative Declaration
LCP	Local Coastal Program
MBTA	Migratory Bird Treaty Act
MS4s	Municipal Separate Storm Sewer Systems
NAVD88	North American Vertical Datum of 1988
NMFS	National Marine Fisheries Service
NPPA	Native Plant Protection Act
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resource Conservation Service
PBFs	Physical or Biological Features
OW-1	Other Water

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RM-2-R	Residential Zone District
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
USACE	U.S. Army Corps of Engineers
USC	United States Code
USFWS	U.S. Fish Wildlife Service
USGS	U.S. Geological Survey
W-1,2,3,4	Wetlands
WDR	Waste Discharge Requirements
WMP	Wetland Management Plan

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EXECUTIVE SUMMARY

KB Home South Bay proposes to impact a 5-acre site at 5940 Soquel Avenue in unincorporated Santa Cruz County for the construction of a multi-family residential development with 100 townhome-style condominiums and associated infrastructure. Offsite construction activities will include road frontage improvements along Soquel Avenue and construction of a stormwater outfall within the Rodeo Gulch corridor. The project site is entirely developed or otherwise disturbed and is surrounded by development on all sides. Therefore, special-status plants are not expected to be present, and most special-status wildlife have no potential to occur. However, the site contains nine trees and various structures or structure-like items (e.g., storage containers, campers, etc.) that could support nesting birds and roosting bats. Additionally, the site contains aquatic features at the northern and southern ends, some of which support wetlands. However, with the use of avoidance and minimization measures (AMMs) and best management practices (BMPs) described below in Section 6, the proposed project would result in less than significant impacts to biological resources pursuant to CEQA.

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1 INTRODUCTION

1.1 PURPOSE OF THE DOCUMENT

The purpose of this Supplemental Biotic Report is to gather information necessary to complete a review of biological resources and potential effects to those resources under the California Environmental Quality Act (CEQA) associated with the 5940 Soquel Avenue Project (Project). The analysis considers the Project location and regional potential occurrence of special-status species and their habitat in conjunction with proposed work activities to analyze potential Project-related impacts on the natural environment.

1.2 PROJECT LOCATION AND AJACENT LAND USES

The approximately 5-acre Project site is located immediately south of State Route 1 at 5940 Soquel Avenue, between the cities of Santa Cruz and Capitola in unincorporated Santa Cruz County, California (Lat. 36.9833278°, Long. -121.9765361°) (Appendix A, Figure 1). The Project site is situated within the Live Oak community and includes Accessor Parcel Number (APN) 029-021-47 (Appendix A, Figure 2). The site is bound to the north by Soquel Avenue, to the west by the County of Santa Cruz's Sheriff's Headquarters, to the south by residential development, and to the east materials supply and storage businesses. All land immediately adjacent to the site is developed or otherwise disturbed. The offsite work area associated with the construction of the stormwater outfall (i.e., the outfall construction area) is located 0.27 miles east of 5940 Soquel Avenue in unincorporated Santa Cruz County.

1.3 PROJECT DESCRIPTION

The Project involves the construction of an approximately 5-acre multi-family residential development with 100 townhome-style condominiums and associated infrastructure. The Project will include utilities, community amenities, landscaping, and bioretention facilities for stormwater treatment. A new protected seasonal wetland will be created onsite to provide compensatory mitigation for impacts to wetlands and other waters. Offsite work would include road frontage improvements along Soquel Avenue and improvements to the stormwater system that services the Project site and surrounding area through the construction of either 1) a stormwater outfall into Rodeo Gulch or 2) tapping into an existing box culvert within Soquel Avenue.

The Project would be constructed using typical site grading, site improvement, and Type 'V' wood-framed construction techniques per the California Building Code requirements. To complete these standard forms of construction, the Project requires the use of water trucks, scrapers, compactors, bulldozers, caterpillars, back-hoes, augers, concrete trucks, and assorted other hand tools and professional grade equipment.

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Project implementation would include the demolition and removal of all existing onsite structures and trees, mass grading of the entire Project site, and construction of project components. The existing and proposed site plans are provided as Appendix B.

1.3.1 Wetland Creation

The permanent loss of 0.041 acre of artificial wetlands and other waters will be avoided through the creation of a 0.1-acre seasonal wetland within the northwest corner of the Project site. The wetland will be seeded with native wetland vegetation and monitored for a period of at least 5 years to ensure successful replacement of functions and services, as it has been designed to exceed those of the existing artificial wetlands and other waters.

1.3.2 Outfall Construction

Work associated with outfall construction would require removal of riparian trees occurring within the Project footprint. All trees removed would be replanted within Rodeo Gulch on and adjacent to the Project site at a 3:1 ratio. The outfall construction area will be surrounded with wildlife exclusion fencing and water quality BMPs prior to commencement of construction activities.

1.3.3 Work Activity Timing

Work is assumed to take place Monday through Saturday (6 days per week), between 7:00 a.m. to 5:00 p.m. (10 working hours per day). Some work could occur after hours or during night-time, with appropriate permits and approvals. To the extent practicable, tree removal and demolition shall occur outside timeframes when young or overwintering bats may be present (generally presumed March through April and August through October) to ensure protection of bats and their roosts.

1.3.4 Compliance and Monitoring Plans

Compliance and monitoring plans will be developed and implemented to provide compliance monitoring during construction to guide the development and implementation of construction controls. A number of avoidance and minimization measures (AMMs) would be incorporated into Project Contract Documents to address environmental and public health and safety concerns. AMMs are procedures known to further reduce the potential for adverse effects to the natural environment and are standard regulatory agency requirements, standards in the industry, and construction and operating experiences of the design engineer. During construction, controls would be implemented to minimize the temporary effect of construction on the surrounding community and environment. These compliance and monitoring plans and AMMs applicable to biological resources are provided in Section 6.

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1.4 PROJECT HISTORY

The development of the Project site has been analyzed in two separate CEQA documents. An Initial Study/Mitigated Negative Declaration (IS/MND) was issued for a development consistent with the current Project in 2008 (State Clearinghouse Number 2008092113), after which the County of Santa Cruz issued an ordinance approving the Planned Use Development (Ordinance No. 5027). This development was never constructed. In 2021, an Environmental Impact Report (EIR) was issued for a medical office building project on the site (State Clearinghouse Number 2020039067). This development was also never constructed.

KB Home South Bay contracted with Integral Consulting Inc. (Integral) in 2024 to perform a review of biological constraints and then conduct a delineation of aquatic resources on the Project site. The Aquatic Resource Delineation Report (Appendix C) was submitted to the U.S. Army Corps of Engineers (USACE) in November 2024 for verification. Due to workload issues, USACE's review is still pending. An additional preliminary delineation of aquatic resources within the outfall construction area was conducted in August 2025.

1.5 SIGNIFICANCE THRESHOLDS FOR PROJECT IMPACTS

Potential impacts associated with implementation of the Project are addressed in the following sections. In accordance with Appendix G of the State CEQA Guidelines, Project-related impacts are considered significant if the Project would result in one or more of the following effects:

a. Have an adverse effect on any species identified as a candidate, sensitive, or special status species, in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife Service; or

b. Have an adverse effect on sensitive biotic community (riparian corridor), wetland, native grassland, special forest, intertidal zone, etc.); or

c. Interfere 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; or

d. Produce nighttime lighting that will illuminate animal habitats; or

e. Make a significant contribution to the reduction of the number of species of plants or animals; or

f. Conflict with any local policies or ordinances protecting biological resources (such as the Significant Tree Protection Ordinance, Sensitive Habitat Ordinance, provisions of the Design Review ordinance protecting trees with trunk sizes of 6-inch diameters or greater); or

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g. Conflict with the provisions of an adopted Habitat Conservation Plan, Biotic Conservation Easement, or other approved local, regional, or state habitat conservation plan?

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2 CURRENT SITE CONDITIONS

2.1 PERSONNEL AND SURVEY DATES

The Project site was surveyed on April 4 and October 8, 2024, by Integral personnel Naomi Schowalter, Sarah Beilman, and Shea Grady (resumes are provided as Appendix D). The April survey included a reconnaissance-level assessment of the Project site to characterize vegetation, topography, and current uses. The October survey consisted of a formal delineation of potential waters of the U.S. and State on the Project site and offsite work areas (Appendix C). On August 4, 2025, a formal delineation of potential waters of the U.S. and State within the outfall construction area was conducted. Observations made during the site visits were used to determine the presence of suitable habitat for special-status species (presence of habitat components necessary to support the species) and sensitive habitat types.

2.2 LIMITATIONS AND ASSUMPTIONS THAT MAY INFLUENCE SURVEY RESULTS

The surveys were limited to a general habitat assessment and an aquatic resources delineation applying delineation standards developed by the USACE. Two portions of the Project site used for storage were inaccessible due to fencing, so only desktop reviews were conducted for these areas. No wildlife was observed during the field surveys. However, wildlife species may be cryptic, generally difficult to detect, transient, nocturnal, or migratory species that may only occur within the Project site for short or fleeting time periods. Wildlife species may only be active during particular times of the year, such as the breeding season, or may only use the Project site temporarily. Some plant species are also only identifiable during particular times of year. For these reasons, plant and wildlife species may be present but not observed. This limitation may influence the study results.

2.3 EXISTING CONDITIONS

The Project site is located in a multi-family residential zoning district (RM-2-R). According to the 2021 Draft EIR prepared for the property by the County of Santa Cruz, existing uses on the site include storage, salvage, and salvage yard purposes. Towing, storage, and concrete businesses operate from the site, and storage containers, vehicles, boats, and campers are scattered across the property. Three sheds and an office trailer with an attached workshop are also present. There is a single ingress/egress point from Soquel Avenue and coarsely paved internal roadways throughout the property. Various types of developments surround the property, including light-industrial, commercial, residential, and institutional.

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The site is nearly flat, gently sloping southeast and southwest. Topographic depressions onsite are associated with constructed ditches at the northern and southern edges of the Project site. Mounds of dirt and debris are scattered across the site. There are numerous scattered patches of ruderal and ornamental vegetation and nine planted trees on the Project site (8 non-native and 1 native; see Appendix B). Vegetation communities onsite included non-native grassland, seasonal wetland, ruderal, and ornamental/urban. Multiple plant species on the Project site have a "High" rating on the California Invasive Plant Council Inventory, including *Cortaderia selloana* (pampas grass), *Genista monspessulana* (French broom), *Hedera helix* (English ivy), and *Rubus armeniacus* (Himalayan blackberry). However, most of the site consists of bare ground, a portion of which is paved. A full list of plant and tree species that were observed onsite during the April site visit are included in Appendix E, Table 1.

The outfall location includes portions of Soquel Avenue roadway, the southern roadway embankment, and the Rodeo Creek riparian corridor. The Rodeo Creek riparian area is characterized by an overstory dominated by arroyo willow (*Salix lasiolepis*) and coast live oak (*Quercus agrifolia*) and an understory dominated by Himalayan blackberry.

2.3.1 Soils

According to the Natural Resources Conservation Service (NRCS), one soil map unit is present on the Project site: Elkhorn sandy loam, 2 to 9 percent slopes. Elkhorn soils are derived from marine deposits and occur on terraces and alluvial fans. The typical soil profile is composed of sandy loam and sandy clay loam. Elkhorn soils are well drained with low runoff and no shallow restrictive features. Only one percent of the soil map unit has a hydric soil rating.

2.3.2 Hydrology

The Project site is in the Monterey Bay watershed (Hydrologic Unit Code 12: 180600150305) (Appendix A, Figure 3). Monterey Bay is approximately 1.5 miles south of the Project site. The closest major drainage, Rodeo Creek Gulch, is located approximately one-quarter mile east. The Project site is nearly flat, sloping slightly southwest and deriving hydrology primarily from direct precipitation. There is a drainage ditch and ponded area between the Project site and Soquel Avenue that prevents roadway runoff from flowing onto the property from the north. It is unclear where flow in the ditch (OW-1 on Appendix A, Figure 4) along the southern edge of the property goes upon leaving the parcel boundary. Santa Cruz County stormwater conduit data does not display any stormwater facilities in this area (Appendix A, Figure 5).

The Rodeo Creek is within the Arana Gulch-Rodeo sub-watershed which drains a 3.5 square-mile area along the eastern edges of the City of Santa Cruz. From the outfall construction site, Rodeo Creek flows southward for 1.5 miles where it enters Corcoran Lagoon, which empties into the Monterey Bay.

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2.4 WATERS OF THE U.S./STATE

The Project site contains multiple artificial wetlands and other waters, created to convey stormwater. The 2008 IS/MND notes that a drainage pipe had been crushed years prior resulting in stormwater pooling onsite. The Project site contains approximately 0.041 acre (455 linear feet) of aquatic resources, including 0.031 acre of seasonal wetlands (W-1, W-2, and W-4), 0.010 acre (290 linear feet) of other waters (OW-1), and 165 linear feet of culverted waters (C-1 and C-2) (Appendix C). An additional 0.002-acre wetland (W-3) proposed for avoidance was mapped immediately east of the Project site. Aquatic resources on the Project site are *potentially* regulated as waters of the U.S. pursuant to the Clean Water Act and as waters of the State pursuant to the Porter-Cologne Act. The delineation map is provided in Appendix A, Figure 4.

Wetlands onsite are associated with topographic depressions receiving channelized runoff from upslope surfaces. Geospatial data (Santa Cruz County, 2024a) indicates that W-1 and W-2 are part of the County's stormwater conduit system (Appendix A, Figure 5), and stormwater pipes drain to and from each wetland. However, no culverts were visible at W-1 during the field surveys, and though a culvert under State Route 1 currently conveys flow into W-2 (C-1), the culvert meant to convey flow away from W-2 (C-2) does not appear to be functioning. Therefore, W-2 functions as a pond for a large portion of the wet season. W-4 is not part of the County's stormwater conduit system but occurs at the terminus of a drainage ditch (OW-1) along the southern boundary of the Project site.

One other water (OW-1) was identified along the southern boundary of the Project site, consisting of a 1.5-foot-wide constructed ditch. It is assumed that this ditch was constructed to prevent runoff from the Project site from flooding the residential development to the south. Another ditch was observed along the eastern portion of the Project site that did not contain an ordinary high water mark and therefore does not constitute a potential water of the U.S. or State (located at SP-7 on Appendix A, Figure 4).

The outfall construction area contains approximately 0.07 acre of the Rodeo Creek riparian corridor; however, no wetlands or other waters occur within the Project footprint at this location.

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3 POTENTIAL IMPACTS TO SPECIAL-STATUS SPECIES

3.1 APPLICABLE LAWS

Special-status species include species considered to be rare by federal and/or state resource agencies (USFWS, National Marine Fisheries Service (NMFS), and CDFW) and/or the scientific community (California Native Plant Society (CNPS)) and are accordingly legally protected pursuant to the federal, state, and/or local laws described below.

3.1.1 Endangered Species Act of 1973

The Endangered Species Act of 1973 (referred to as the Federal Endangered Species Act [ESA]) prohibits the "take" of any wildlife species listed by the USFWS or NMFS (collectively referred to as the Services) as threatened or endangered, including the destruction of habitat that could hinder species recovery. The term "take" is defined by Federal ESA as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct, with habitat protected under the "harm" and "harass" definitions. The USFWS and NMFS oversee the implementation of Federal ESA (50 Code of Federal Regulations (CFR) § 402.7, Section 305(b)(4)(B)) and have regulatory authority over listed plants, wildlife, and fish. When species are listed as endangered or threatened under Federal ESA, the federal government is also directed to designate critical habitat for these species. To remain compliant with the Federal ESA, federal action agencies, such as USACE, are required to consult with the Services prior to issuance of a permit if a project "may affect" a federally listed species or designated critical habitat. If the federal action agency determines the federal action would have no effect on a listed species (when there is no potential for presence of a listed species) or designated critical habitat, no consultation with the Services is required.

The USFWS and NMFS administer the Federal ESA and authorize exceptions to the take prohibition through issuance of Biological Opinions in consultation with the federal action agency. The USFWS has primary responsibility for terrestrial and freshwater organisms, whereas the responsibilities of the NMFS are mainly marine wildlife, such as whales, and anadromous fish, such as salmon.

3.1.2 Migratory Bird Treaty Act (MBTA)

The MBTA of 1918 (16 United States Code (U.S.C.) 703-712; Ch. 128; July 13, 1918; 40 Stat. 755; as amended in 1936; 1960, 1968, 1969, 1974, 1978, 1986, and 1998) (between the United States, Canada, Mexico, and Japan) prohibits the take (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct) of any migratory bird or any part, nest, or egg of any such bird. The USFWS issues permits for take of migratory birds related to scientific collecting, banding and marking, falconry, raptor

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propagation, depredation, import, export, taxidermy, waterfowl sale and disposal, and special purposes.

3.1.3 California Endangered Species Act (CESA)

The CESA prohibits the "take" of any wildlife species listed as endangered and threatened by the State of California. The term "take" is defined by Fish and Game Code Section 86 as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Section 2090 of the CESA requires state agencies to comply with regulations for protection and recovery of listed species and to promote conservation of these species. CDFW administers the CESA and authorizes exceptions to the take prohibition through Section 2081 agreements (Incidental Take Permits) (except for designated "fully protected species"). Species that the California Fish and Game Commission has accepted as candidates for listing are likewise given full CESA protection.

3.1.4 California Native Plant Protection Act (NPPA)

The NPPA allows the Fish and Game Commission to designate plants as rare or endangered. The NPPA prohibits take of endangered or rare native plants but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations.

3.1.5 California Fish and Game Code (Fully Protected Species)

The State of California designated 37 species of wildlife that were rare or faced possible extinction with the classification of Fully Protected in the 1960s to provide additional protection to those species. To provide additional protections for wildlife that is rare or faces potential extinction, California Fish and Game Code Sections 3511, 4700, 5050, and 5515 designate "fully protected" status for specific birds, mammals, reptiles, amphibians, and fish. Fully protected species cannot be taken or possessed at any time and no licenses or permits can be issued for their take. Exceptions are established for scientific research collection, relocation of the bird species for the protection of livestock and take resulting from recovery activities for state-listed species.

3.1.6 California Fish and Game Code (Birds)

California Fish and Game Code Section 3503 prohibits the take of nest or eggs of any bird. Raptors and other fully protected bird species are further protected in Sections 3503.5 and 3511, which state that these species or parts thereof may not be taken or possessed at any time.

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3.1.7 CEQA

CEQA is a statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. The planning process entered into with the County of Santa Cruz (County) will identify the County's specific CEQA process and what issues they would like to see addressed in a CEQA analysis. Certain species and habitats are afforded protection solely through the CEQA process.

3.1.7.1 CDFW Species of Special Concern

A species of special concern is an administrative designation given by CDFW to a native species that meets one or more of the following criteria: is extirpated from the state; is federally (but not state) listed; is experiencing, or formerly experienced, population declines or range restrictions; or has naturally small populations at high risk of declines. While this designation carries no legal status, CEQA Guidelines Section 15380 clearly indicates that species of special concern should be included in an analysis of project impacts.

3.1.7.2 CNPS Inventory of Rare and Endangered Plants

CNPS designates California rare plants through a ranking system, maintaining an Inventory of Rare, Threatened, and Endangered Plants of California. Many plant species have a CNPS rare plant rank but are not afforded legal protection under the NPPA or CESA. These species may still meet the CEQA definition of rare and endangered and therefore fall under Section 15380 of the CEQA Guidelines.

3.2 METHODOLOGY

Information about special-status species that could occur on the Project site was obtained from the following sources:

- California Natural Diversity Database (CNDDB) (CDFW 2024a)
- CNPS Inventory of Rare, Threatened, and Endangered Plants of California (CNPS 2024)
- USFWS Information for Planning and Consultation (IPaC) (USFWS 2024b)
- Personal observations

The CNDDB was used to query all special-status species with occurrences that are not identified as "extirpated" within 3 miles of the Project site. A query of the CNPS Inventory of Rare, Threatened, and Endangered plants of California was conducted for CNPS-ranked plant species with recorded occurrences on the same USGS 7.5-minute quadrangle as the Project site (Soquel quadrangle). An IPaC list was generated using the property boundary. The species

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identified in these searches were compiled in tables (Appendix E, Tables 2 and 3) and evaluated for likelihood of occurrence on the Project site. The potential for species to be present on the Project site was classified as high, moderate, low, or none using the following definitions:

- **High**: The potential for a species to occur was considered high when the Project site was located within the range of the species, recorded observations were identified within known dispersal distance of the Project site, and suitable habitat was present on the Project site.
- **Moderate**: The potential for a species to occur was considered moderate when the Project site was located within the range of the species, recorded observations were identified nearby but outside known dispersal distance of the Project site, and suitable habitat was present on the Project site. A moderate classification was also assigned when recorded observations were identified within known dispersal distance of the Project site but habitat on the Project site was of limited or marginal quality.
- **Low**: The potential for a species to occur was considered low when the Project site was within the range of the species, but no recorded observations within known dispersal distance were identified, and habitat on the Project site was limited or of marginal quality. The potential for a species to occur was also classified as low when the Project site was located at the edge of a species' range and recorded observations were extremely rare, but habitat on the Project site was suitable.
- **None**: The potential for a species to occur was considered nonexistent when a species was not expected to occur within or adjacent to the Project site due to lack of suitable habitat and recorded observations within dispersal distance from the Project site.

3.3 POTENTIAL FOR OCCURRENCE OF SPECIAL-STATUS PLANTS

According to the CNDDB, the CNPS Inventory of Rare, Threatened, and Endangered Plants of California, and the USFWS IPaC, a total of 18 special-status plant species have potential to occur in the vicinity of the Project site. A brief description of each of these species is included in Appendix E, Table 2, including the species' status, habitat, and probability of occurrence on the Project site.

Most of the regionally known special-status plant species require specialized soils or habitats that are not found on the Project site. Additionally, the entire Project site and the adjoining properties are developed or otherwise disturbed. While the outfall construction area occurs within riparian habitat, the only riparian species with presumed extant records in the area is the California bottle-brush grass (*Elymus californicus*), and no grasses were observed within the densely vegetated outfall construction area. This species is not expected to occur therein

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due to the disturbed nature of the area (within the road prism) and the dense perennial vegetative cover. Therefore, no special-status plants are expected to occur.

3.4 POTENTIAL FOR OCCURRENCE OF SPECIAL-STATUS WILDLIFE

According to the CNDDB, records for a total of 15 special-status wildlife species have been documented within three miles of the Project site. A brief description of each of these species is included in Appendix E, Table 3, including the species' status, habitat, and probability of occurring within the Project site. Ten additional FESA species were identified by IPaC. Most of these regionally known special-status species require specialized habitats that do not occur on the Project site and therefore are not expected to occur. Additionally, the entire Project site and the adjoining properties are developed or otherwise disturbed. However, the outfall construction area occurs within riparian habitat. Therefore, only nesting birds, special-status bats, and San Francisco dusky-footed woodrats (*Neotoma fuscipes annectens*) have potential to occur on the Project site and/or the offsite outfall construction area.

3.4.1 Special-Status Wildlife with Potential to Occur

3.4.1.1 Bats

Two species of special-status bats have been observed in the vicinity of the Project site per CNDDB: Townsend's big-eared bat (*Pelcotus townsendii*) and pallid bat (*Antrozous pallidus*). Trees and structures on the Project site and within the outfall construction area may provide suitable roosting habitat for these special-status bat species, though the likelihood is relatively low. Townsend's big-eared bat is particularly unlikely to roost on the property since it is extremely sensitive to disturbance of roosting sites and there is ongoing activity on the site.

3.4.1.2 Nesting Birds

The trees that occur on and adjacent to the Project site and within the outfall construction area provide suitable nesting habitat for many species of passerine birds and raptors known to occur in the region. No nests were observed during the site visits. However, owing to the mobile nature of birds and the seasonality of their nesting cycle, it is possible that birds will nest within the Project site during future nesting seasons.

3.4.1.3 San Francisco Dusky-footed Woodrat

During the August 2025 site visit, multiple San Francisco dusky-footed woodrat (woodrat) middens were observed between 10 and 25 feet from the outfall construction area. The riparian area within the outfall construction area provides suitable habitat for this species.

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3.5 IMPACT ASSESSMENT

3.5.1 Special-Status Plants

The entire Project site and the adjoining properties are developed or otherwise disturbed. Therefore, no special-status plants are expected to occur, and Project implementation would not result in impacts to special-status plants.

3.5.2 Special-Status Wildlife

3.5.2.1 Bats

There is potential for special-status bats, including Townsend's big-eared bat and pallid bat, to occur on the Project site. Nine trees and all existing structures and structure-like items (e.g., storage containers, campers, etc.) that could provide suitable roosting habitat would be removed for the development of the site. If bats are roosting in the Project vicinity, roost abandonment could occur as a result of disturbance. However, impacts to special-status bats would be avoided through implementation of Avoidance and Minimization Measures in Section 8.2. *Accordingly, while Project implementation could result in impacts to roosting bats, with implementation of these measures, these impacts would be reduced to a level considered less than significant pursuant to CEQA and do not exceed those considered in the 2008 IS/MND*.

3.5.2.2 Nesting Birds

There is potential for birds to nest on the Project site. The removal of nine trees from the Project site and indirect impacts to trees adjacent to the Project site has the potential to result in nest abandonment by special-status birds. However, impacts to nesting birds would be avoided through implementation of Avoidance and Minimization Measures in Section 8.2. *Accordingly, while Project implementation could result in impacts to nesting birds, with implementation of these measures, these impacts would be reduced to a level considered less than significant pursuant to CEQA and do not exceed those considered in the 2008 IS/MND*.

3.5.2.3 San Francisco Dusky-footed Woodrat

There is potential for woodrats to occur within or near the outfall construction area. However, impacts to woodrats would be avoided through isolation of the work area from the adjacent Rodeo Creek riparian corridor and implementation of Avoidance and Minimization Measures in Section 8.2. *Accordingly, while Project implementation could result in impacts to woodrats, with implementation of these measures, these impacts would be reduced to a level considered less than significant pursuant to CEQA and do not exceed those considered in the 2008 IS/MND.*

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4 POTENTIAL IMPACTS TO SPECIAL-STATUS HABITATS

4.1 APPLICABLE LAWS

Certain habitats are regulated by state and federal resource agencies and are accordingly legally protected via the federal and/or state laws defined below.

4.1.1 Section 401 and 404 of the Clean Water Act (CWA)

Section 404 of the CWA, administered by the U.S. Environmental Protection Agency and USACE, establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including traditionally navigable waters, relatively permanent tributaries to those waters, and wetlands with a continuous surface connection to regulated waters. Per Section 404, a permit is required prior to discharge of dredged or fill material into waters of the United States, unless the activity is exempt from Section 404 regulation.

Under Section 401 of the CWA, a federal agency may not issue a permit or license to conduct any activity that may result in any discharge into waters of the United States unless a Section 401 water quality certification is issued, or certification is waived. States and authorized tribes where the discharge originate are generally responsible for issuing water quality certifications. In the State of California, the State Water Resources Control Board (SWRCB) and Regional Water Quality Control Boards (Regional Water Boards) are the State certifying authorities.

4.1.2 National Pollutant Discharge Elimination System (NPDES) Permit Program

The NPDES Permit Program, also authorized by the CWA, controls water pollution by regulating point sources (discrete conveyances such as pipes or constructed ditches) that discharge pollutants into waters of the United States. The NPDES Permit Program includes the Municipal Storm Water Permitting Program, which regulates storm water discharges from municipal separate storm sewer systems (MS4s). The MS4 Permit Program was established to restore and maintain the chemical, physical, and biological integrity waters of the U.S./State and reduce/eliminate storm water pollution. The implementation of these federal programs has been charged to the State of California for implementation through the SWRCB and Regional Water Boards. In California, NPDES permits are also referred to as waste discharge requirements (WDR) that regulate discharges to waters of the United States.

4.1.3 Porter Cologne Water Quality Control Act

The SWRCB and its nine regional water boards have been charged with the protection and enhancement of water quality in the State of California. Pursuant to the Porter Cologne Water

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Quality Control Act (Porter-Cologne Act), waters of the State are defined as "any surface water or groundwater, including saline waters, within the boundaries of the state." This is generally taken to include all waters of the U.S., all surface waters not considered to be waters of the U.S. (e.g., non-jurisdictional wetlands), groundwater, and territorial seas (with territorial boundaries extending 3.0 nautical miles beyond outermost islands, reefs, and rocks and includes all waters between the islands and the coast). Per the Porter-Cologne Act, the Regional Water Board has authority to regulate discharges of fill and dredged material into waters of the State.

4.1.4 Fish and Game Code Section 1600 *et seq.*

CDFW regulates diversions and obstructions of the natural flows, and material changes or uses of the beds, channels, or banks, of rivers, streams, and lakes under Section 1600 *et seq.* of California Fish and Game Code. The term stream, which includes creeks and rivers, is defined in 14 California Code of Regulations Section 1.72 as follows: "A stream is a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation." Per Section 1.56, the term lake "includes natural lakes or man-made reservoirs."

4.1.5 FESA

When species are listed as endangered or threatened under FESA, the federal government is also directed to designate critical habitat for these species. Critical habitat is designated by the Services to protect areas that are essential to the survival of federally listed species. Under FESA, critical habitat is defined as a "specific geographic areas that contain features essential to the conservation of an endangered or threatened species and that may require special management and protection." When designating critical habitat, the Services focus on the principal biological or physical features (PBFs) in the defined area that are essential to the conservation of the listed species. The FESA requires Federal agencies to use their authorities to conserve endangered and threatened species and to consult USFWS and/or NMFS about actions that they carry out, fund, or authorize to ensure that they will not destroy or adversely modify critical habitat.

4.1.6 CEQA

4.1.6.1 Sensitive Biotic Communities

CDFW ranks Natural Communities according to their rarity and threats using NatureServe's Heritage Methodology. Natural Communities with ranks of S1-S3 are considered Sensitive Biotic Communities and are required to be addressed in the environmental review processes of CEQA and its equivalents.

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4.2 METHODOLOGY

Information about aquatic resources and special-status habitats that could occur on the Project site was obtained from the following sources:

- Integral site visits (April 4, and October 8, 2024; see Section 2.1)
- CNDDB (CDFW 2024a)
- USFWS Critical Habitat shapefiles

The CNDDB was used to query all special-status habitats with known occurrences within 3 miles surrounding the Project site. USFWS shapefiles were used to map critical habitat in the vicinity of the Project site.

4.3 SENSITIVE BIOTIC COMMUNITIES

The Project site supports approximately 0.041 acre (455 linear feet) of aquatic resources, including 0.031 acre of seasonal wetlands (W-1, W-2, and W-4), 0.010 acre (290 linear feet) of other waters (OW-1), and 165 linear feet of culverted waters (C-1 and C-2) (Appendix C). An additional 0.002-acre wetland (W-3) proposed for avoidance was mapped immediately east of the Project site. In addition, the outfall construction area occurs within 0.07 acre of the Rodeo Creek riparian corridor. Aquatic resources on the Project site are *potentially* regulated as waters of the U.S. pursuant to the Clean Water Act and waters of the State pursuant to the Porter-Cologne Act and Fish and Game Code Section 1600 *et seq.* Aquatic resources proposed to be impacted by the Project are displayed in Appendix A, Figure 6a and 6b.

There are no CNDDB records of Sensitive Biotic Communities within 3 miles of the Project site, however, wetlands and riparian corridors like that associated with Rodeo Creek are considered Sensitive Biotic Communities.

4.4 CRITICAL HABITAT

No designated critical habitat occurs on or adjacent to the Project site. However, designated critical habitat for four species occurs within 3 miles of the Project site: Santa Cruz tarplant (*Holocarpha macradenia*), Zayante band-winged grasshopper (*Trimerotropis infantilis*), tidewater goby (*Eucyclogobius newberryi*), and robust spineflower (*Chorizanthe robusta* var. *robusta*). The closest designated critical habitat is for Santa Cruz tarplant and is approximately 0.6 mile from the Project site.

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4.5 WILDLIFE CORRIDORS AND NURSERY SITES

The Project site does not act as a wildlife corridor or a nursery site. A wildlife corridor is a portion of land that adjoins two or more larger areas of similar natural environment, often connecting wildlife populations separated by natural or created activities, disturbances, or structures. Wildlife corridors are used for dispersal and migration of wildlife, allowing for genetic exchange, population growth, and access to larger stretches of suitable habitats, and reducing habitat fragmentation. While the Project site provides some foraging and marginal resting habitat, it is regularly disturbed, is surrounded on four sides by developed landscapes, and does not offer the necessary protection or resources required to be considered a wildlife corridor. Riparian corridors like that associated with Rodeo Creek are generally considered wildlife corridors.

A nursery site is an area where juveniles occur at higher densities, avoid predation more successfully, or grow faster there than in a different habitat (Beck et. al. 2001). The Project site exhibits no evidence of being a nursery site. As an active towing, storage, and concrete business site that is subject to regular disturbance, the Project site is not buffered from the adjacent urban landscape and does not provide enhanced protection or nesting/roosting habitats that would be components of nursery sites. Riparian corridors like that associated with Rodeo Creek are generally considered nursery sites.

4.6 IMPACT ASSESSMENT

4.6.1 Sensitive Biotic Communities

Approximately 0.041 acre (455 linear feet) of artificial wetlands and other waters would be impacted by the Project. The permanent loss of waters of the U.S. and/or State would be avoided through the creation of a seasonal wetland within the northwest corner of the Project site. Similarly, the permanent loss of 0.07 acre of riparian habitat would be avoided through the replacement of trees removed at a 3:1 ratio. *While Project implementation* would *result in impacts to aquatic resources, the functions and values of these resources will be replaced onsite and these impacts would be reduced to a level considered less than significant pursuant to CEQA and permanent loss of aquatic resources does not exceed those considered in the 2008 IS/MND*.

The outfall construction area occurs within the Rodeo Creek riparian corridor, which is considered a Sensitive Biotic Community. As the outfall construction component of the project is limited in nature, impacts to Sensitive Biotic Communities would be avoided through tree replacement, implementation of Avoidance and Minimization Measures in Section 8.2. *Accordingly, while Project implementation could result in impacts to Sensitive Biotic Communities, with implementation of these measures, these impacts would be reduced to a level considered less than significant pursuant to CEQA and do not exceed those considered in the 2008 IS/MND.*

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4.6.2 Critical Habitat

The Project site does not occur within or near any designated critical habitat units. Therefore, Project implementation would not result in impacts to critical habitat.

4.6.3 Wildlife Corridors and Nursery Sites

The Project site does not occur within a wildlife corridor and does not support any wildlife nursery sites. However the outfall construction area occurs within the Rodeo Creek riparian corridor, which would be considered both a wildlife corridor and nursery site. As the outfall construction component of the project is limited in nature, impacts to wildlife corridors and nursery sites would be avoided through tree replacement, implementation of Avoidance and Minimization Measures in Section 8.2. *Accordingly, while Project implementation could result in impacts to wildlife corridors and nursery sites, with implementation of these measures, these impacts would be reduced to a level considered less than significant pursuant to CEQA and do not exceed those considered in the 2008 IS/MND.*

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5 NIGHTTIME LIGHTING

Work is proposed to take place Monday through Saturday (6 days per week), between 7:00 a.m. to 5:00 p.m. (10 working hours per day). Some work could occur after hours or during the night-time, if necessary, and with appropriate permits and approvals. This remains consistent with the 2008 IS/MND.

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6 REDUCTION OF SPECIES

The Project site is developed or otherwise disturbed. According to a 2021 Draft Environment Impact Report prepared for the property by the County of Santa Cruz, existing uses on the site include storage, salvage, and salvage yard purposes. Towing, storage, and concrete businesses operate from the site, and storage containers, vehicles, boats, and campers are scattered across the site. Three sheds and an office trailer with an attached workshop are also present. The Project site does not provide habitat conducive to supporting significant populations of native plants or animals.

While the outfall construction area occurs within riparian habitat, the outfall construction component of the project is limited in nature, and impacts to any significant number of species of plants or animals would be avoided through tree replacement and implementation of Avoidance and Minimization Measures in Section 8.2.

Implementation of the proposed Project would not result in significant reduction in the number of species or plants or animals at the Project site. This remains consistent with the 2008 IS/MND.

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7 APPLICABLE LOCAL PLANS, ORDINANCES, AND LAWS

7.1 SANTA CRUZ COUNTY GENERAL PLAN 2024

The 2024 General Plan for the County of Santa Cruz (also known as the Local Coastal Program (LCP)) serves to guide and regulate land use and development in unincorporated Santa Cruz County. The following goals in the 2024 General Plan (County of Santa Cruz, 2024b) are relevant to the development of the Property with regard to biological resource constraints; the project complies with all of these goals.

7.1.1 Objective ARC-3.1 Biological Diversity

To maintain the biological diversity of the County through an integrated program that includes open space acquisition and protection; identification and protection of plant habitat and wildlife corridors and habitats; protection and restoration of habitat for local, state, and federally protected species; careful regulation of low-intensity and resource compatible land uses in sensitive habitats; and mitigation for project impacts and resource extraction.

7.1.1.1 ARC-3.1.2 Definition of Sensitive Habitat

An area is defined as a sensitive habitat if it meets one or more of the following criteria:

(1) Areas of special biological significance as identified by the State Water Resources Control Board.
(2) Areas that provide habitat for locally unique biotic species/communities, including coastal scrub, maritime chaparral, native rhododendrons and associated Elkgrass, mapped grasslands in the coastal zone and sand parkland; and Special Forests including San Andreas Live Oak Woodlands, Valley Oak, Santa Cruz Cypress, indigenous Ponderosa Pine, indigenous Monterey Pine and ancient forests.
(3) Areas adjacent to essential habitats of rare, endangered or threatened species as defined in (5) and (6) below.
(4) Areas that provide habitat for Species of Special Concern as listed by the California Department of Fish and Wildlife in the Special Animals list, California Natural Diversity Database.
(5) Areas that provide habitat for rare or endangered species that meet the definition of Section 15380 of the California Environmental Quality Act guidelines.
(6) Areas that provide habitat for rare, endangered or threatened species as designated by the California Fish and Game Commission, United States Fish and Wildlife Service or California Native Plant Society.
(7) Nearshore reefs, rocky intertidal areas, sea caves, islets, offshore rocks, kelp beds, marine mammal hauling grounds, sandy beaches, shorebird roosting, resting and nesting areas, cliff nesting areas and marine, wildlife or educational/research reserves.

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(8) Dune plant habitats.
(9) All lakes, wetlands, estuaries, lagoons, streams and rivers.
(10) Riparian corridors.

7.1.1.2 ARC-3.1.4 Sensitive Habitat Protection Ordinance

Implement protection of sensitive habitats and of ESHA [Environmentally Sensitive Habitat Areas] through SCCC [Santa Cruz County Code] Chapters 16.32 Sensitive Habitat Protection, 16.30 Riparian Corridor and Wetlands Protection, and 13.20 Coastal Zone Regulations. Any amendments to this ordinance shall require a finding that sensitive habitats shall be afforded equal or greater protection by the amended language.

7.1.1.3 ARC-3.1.6 Development Within Sensitive Habitats

Sensitive habitats shall be protected against any significant disruption of habitat values, and any proposed development within or adjacent to these areas must maintain or enhance the functional capacity of the habitat. Reduce in scale, redesign, or, if no other alternative exists, deny any project that cannot sufficiently mitigate significant adverse impacts on sensitive habitats unless approval of a project is legally necessary to allow a reasonable use of the land.

7.1.1.4 ARC-3.1.7 Site Design and Use Regulations

Protect sensitive habitats against any significant disruption or degradation of habitat values in accordance with the Sensitive Habitat Protection ordinance. Utilize the following site design and use regulations on parcels containing these resources, excluding existing agricultural operations:

(1) Structures, when allowed, shall be placed as far from the habitat as feasible.
(2) Delineate development envelopes to specify location of development in minor land divisions and subdivisions.
(3) Consider use of conservation or open space easements, deed restrictions, Conditions of Approval or equivalent measures to protect that portion of a sensitive habitat on a project parcel which is undisturbed by a proposed development activity or to protect sensitive habitats on adjacent parcels.
(4) Limit or restrict outdoor access of domestic animals where they threaten sensitive habitats.
(5) Limit removal of native vegetation to the minimum amount necessary for structures, landscaping, driveways, septic systems and gardens.
(6) Maintain regulations and impose development permit conditions of approval as warranted, to limit landscaping with invasive or exotic species and to strongly encourage or require the use of characteristic native species, as well as consistency with the Water Efficient Landscaping Ordinance.

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7.1.2 Objective ARC-3.3 Riparian Corridors and Wetlands

To preserve, protect, and restore all riparian corridors and wetlands for the protection of wildlife and aquatic habitat, water quality, erosion control, open space, aesthetic and recreational values and the conveyance and storage of flood waters.

7.1.2.1 ARC-3.3.1 Designation of Riparian Corridors and Wetlands

Designate and define the following areas as Riparian Corridors:

(1) 50' from the top of a distinct channel or physical evidence of high-water mark of a perennial stream;
(2) 30' from the top of a distinct channel or physical evidence of high water mark of an intermittent stream as designated on the General Plan maps and through field inspection of undesignated intermittent and ephemeral streams;
(3) 100' of the high water mark of a lake, wetland, estuary, lagoon, or natural body of standing water;
(4) The landward limit of a riparian woodland plant community (water-dependent woodland areas); and
(5) Wooded arroyos within urban areas.

7.1.2.2 ARC-3.3.2 Riparian Corridor and Wetland Protection Ordinance

Implement the protection of riparian corridors and wetlands through the Riparian Corridor and Wetland Protection ordinance to ensure no net loss and to encourage restoration and a net increase of riparian corridors and riparian wetlands. Any amendments to this ordinance shall require a finding that riparian corridors and wetlands shall be afforded equal or greater protection by the amended language.

7.1.2.3 ARC-3.3.3 Activities Within Riparian Corridors and Wetlands

Development activities, land alteration, and vegetation disturbance within riparian corridors and wetlands and required buffers shall be prohibited unless an exception permit is granted per the Riparian Corridor and Wetlands Protection ordinance. As a condition of a riparian exception permit, require evidence of compliance with applicable permit or review requirements of the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and other federal or state agencies that may have regulatory authority over activities within riparian corridors and wetlands.

7.1.2.4 ARC-3.3.5 Setback from Wetlands

Prohibit development within the 100-foot riparian corridor of all wetlands. Permit exceptions to this setback only where consistent with the Riparian Corridor and Wetlands Protection

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ordinance, and in all cases, maximize distance between proposed structures and wetlands as feasible and mitigated. Require measures to prevent water quality degradation from adjacent land uses, as outlined in Goal ARC-4: Water Resources.

7.1.2.5 ARC-3.3.8 Environmental Review for Riparian Corridor and Wetland Protection

Require environmental review of all proposed development projects affecting riparian corridors or wetlands and preparation of a Biotic Report for projects that, as proposed, may have a significant effect on the corridors or wetlands. Compliance with County regulations is generally considered to prevent the possibility of significant environmental impacts, and any biotic and/or riparian exception permit process may involve project specifications and/or conditions that would also prevent the possibility of significant environmental impacts.

7.1.2.6 ARC-3.3.9 Management Plans for Wetland Protection

Require development in or adjacent to wetlands to incorporate the recommendations of a management plan that evaluates: migratory waterfowl use from December 1 to April 30, native fish migration, compatibility of agricultural uses and biotic and water quality protection, maintenance of biologic productivity and diversity, flood protection and hydrologic value, and the permanent protection of adjoining uplands.

7.1.2.7 ARC-3.3.10 Development in Wetland Drainage Basins

Require development projects in wetland drainage basins to include drainage facilities or Best Management Practices (BMPs) that will maintain surface runoff patterns and water quality, unless a wetland management plan specifies otherwise, and will minimize erosion, sedimentation, and introduction of pollutants.

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8 IMPACTS, MONITORING PLANS, AVOIDANCE MEASURES

With compliance with regulatory authorizations, implementation of compliance plans and monitoring programs, and AMMs, all Project-related impacts on biological resources would be reduced to a level considered less than significant and would not exceed those considered in the 2008 IS/MND.

8.1 REGULATORY AUTHORIZATIONS

Implementation of the Project would result in impacts to a total of approximately 0.041 acre (455 linear feet) of aquatic resources on the Project site and 0.07 acre of riparian habitat within the outfall construction area. Preparation and implementation of the below Environmental Monitoring Plans and avoidance and minimization measures, in addition to agency consultation and compliance with Project authorizations issued by applicable regulatory agencies, would ensure reduction of impacts to protected habitats to a level considered less than significant pursuant to CEQA.

Prior to Project commencement, consultation with and/or authorization from applicable state agencies (e.g., Regional Water Board and CDFW) and federal agencies (e.g., USACE) charged with overseeing potential impacts on special-status habitats shall be secured. All terms and/or conditions (e.g., monitoring, reporting, timing, and work limits) established within the agency consultations and authorizations would be fully implemented. Any identified compensatory mitigation would be completed consistent with agency consultation and authorization requirements.

8.2 ENVIRONMENTAL MONITORING PLANS

As discussed in Section 1.3.3, the compliance and monitoring plans described below would be incorporated into the Project's Contract Documents to ensure protection of the environment.

8.2.1 Stormwater Pollution Prevention Plan

Construction activities that would disturb 1 acre or more of soil, or that would disturb less than 1 acre but are part of a larger common plan of development that in total would disturb 1 or more acres, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ (Construction General Permit). The Construction General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer. The SWPPP would describe the best management practices (BMPs) to address potential stormwater runoff impacts from construction activities.

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The temporary construction site BMPs to be included in the SWPPP will include but not be limited to the following:

a. Measures for managing runoff when water is used for dust control on stockpiles.
b. Measures for monitoring erosion and sediment migration from stockpiles.
c. Specific practices that may be implemented to reduce the sediment load of stormwater runoff, including stormwater control devices (earth berms, silt fences/curtains, or other barriers) installed along the perimeter of stockpile areas and protection of existing catch basins with silt fences or gravel bags.
d. Chemical and fuel storage plans (secondary containment and other measures).
e. Inspection and maintenance of protected areas regularly during the course of the work.
f. Sealing or placing filter fabric at storm drains and using other appropriate BMPs.

8.2.2 Wetland Monitoring Plan

A Wetland Monitoring Plan (WMP) will be developed for the created wetland. The WMP will be prepared by a qualified biologist or restoration professional and will include the following minimum elements:

a. Design plans for the created wetland.
b. Criteria and standards by which the wetland will compensate for impacts of the proposed Project on aquatic resources.
c. Discussion of the following shall be included: (1) the objectives of the created wetland, including the hydrologic and biotic conditions of the created wetland; (2) the specific methods to be employed for wetland creation and plant establishment; (3) success criteria and monitoring requirements to ensure the achievement of objectives; and, (4) remedial measures to be implemented in the event that performance standards are not achieved.
d. Site-specific native seed mixes and/or plantings proposed to achieve the desired plant community in the mitigation wetland.
e. A five-year management plan for maintenance and monitoring of the created wetland to ensure performance standards are achieved. Annual habitat monitoring reports will be submitted to the County Planning Department by January 31 of each monitoring year.

The project proponent will be responsible for execution of the 5-year management plan for maintenance and monitoring of the created wetland. If responsibility is transferred legally to

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another entity, County Environmental Planning Staff will be informed of any such transfer of responsibility.

8.3 AVOIDANCE AND MINIMIZATION MEASURES

The environmental component of the Project's monitoring program will include the following AMMs relevant to biological resources, as discussed in Section 1.3.3.

8.3.1 General Avoidance and Minimization Measures

During construction, measures shall be implemented to mitigate temporary construction impacts on the environment and surrounding community, including engineering controls and/or operational BMPs.

1. Worker Environmental Awareness Training: All construction personnel (hereinafter referred to as personnel) shall attend a mandatory environmental education program facilitated by the Project biologist prior to the initiation of construction activities. Training sessions shall be repeated for all new personnel before they are allowed access to the job site. All personnel shall complete the training and sign a form stating that they completed the training and understand all applicable agency regulations and consequences of non-compliance. The Project sponsor shall keep the forms on file and make them available to the regulatory agencies upon request.
2. Best Management Practices: Every reasonable precaution to protect offsite biological resources from construction by-products and pollutants such as debris, construction chemicals, fresh cement, saw water, or other deleterious materials shall be exercised. Measures will ensure minimization of disruptions to surrounding neighbourhoods, resources, and land uses and will include but not be limited to debris and dust controls, air and water pollution controls, water usage controls, and noise and vibration controls. The measures identified in these plans shall be based on the best available technology and shall include, but not be limited to, the following:
    - During construction, all onsite and/or construction related debris shall be disposed of at an authorized offsite disposal location.
    - All hazardous materials shall be stored and handled in strict accordance with the Safety Data Sheets for the products. The storage and handling of potential pollution-causing and hazardous materials, including but not necessarily limited to gasoline, oil, and paint, shall be in accordance with applicable federal, state, and local laws and regulations.
    - Erodible construction material shall be covered every night and during any rainfall event.
    - Vehicles and equipment that are used during the course of construction shall be fueled and serviced in an appropriate manner. Fueling locations shall be inspected after fueling

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to document that no spills have occurred. Any incidental spills shall be cleaned up immediately.

- Once the Project is completed, construction material, wastes, debris, sediment, rubbish, trash, fencing, and other construction items shall be removed from the site and transported to an authorized disposal area or recycling facility, as appropriate, in compliance with applicable federal, state, and local laws and regulations.

8.3.2 Special-Status Species Avoidance and Minimization Measures

- If construction and tree removal activities must occur during the migratory bird nesting season (February 1 through September 15), an avian nesting survey of the Project site and accessible contiguous habitat within 300 feet of all impact areas shall be conducted for active nests of protected migratory birds. The avian nesting survey shall be performed by a qualified wildlife biologist within 7 days prior to the start of ground or vegetation disturbance or building demolition activities. If an active bird nest is found, the nest shall be flagged and mapped on the construction plans, along with an appropriate no disturbance buffer, which shall be determined by the biologist based on the species' sensitivity to disturbance (generally 50-250 feet for passerines and 250-500 feet for raptors and special-status species). The nest buffer shall be demarcated in the field with flagging and stakes or construction fencing. Work within the nest avoidance buffer shall be prohibited until the juveniles have fledged.

- A bat habitat assessment and preconstruction bat survey shall be conducted within 14 days of the removal of any trees or demolition of buildings within the Project site. The biologist shall have access to all structures and interior attics, as needed. The survey shall consist of an acoustic and visual emergence survey for bats, completed by a qualified biologist with experience identifying bat roosts and behavior. If a colony of bats is found roosting in a structure or vegetation, surveys will determine the species present and the type of roost, such as day, night, or maternity roost.

  If a non-maternity and non-wintering bat colony is found, the biologist shall develop and implement acceptable passive exclusion methods in coordination with or based on CDFW recommendations to ensure their protection and to avoid unnecessary harm. If a maternity colony or overwintering colony is found on the project site, then the qualified biologist shall establish a suitable non-disturbance buffer around the location in coordination with CDFW. The non-disturbance buffer shall remain in place until the qualified biologist determines that the maternal colony or wintering roost is no longer active.

- During the preconstruction surveys for nesting birds, the qualified biologist shall survey for San Francisco dusky woodrat middens within and adjacent to the outfall construction area; all nests (active and inactive) shall be mapped and flagged. To the

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extent feasible, San Francisco dusky woodrat nests shall be avoided during construction. If any existing nests can be avoided, they shall be isolated from the work area with the installation of wildlife exclusion fencing.

If individual woodrats are found within the Project work area during preconstruction surveys, work will not commence until the individual leaves the work area of its own volition. If woodrat middens are observed within the Project work area during preconstruction surveys, a relocation plan for woodrat nests affected by the Project will be prepared and approved by CDFW prior to implementation.

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Figure 2. Site Map

Figure 3. Watershed Map

Figure 4. Delineation Map

Figure 5. Stormwater Map

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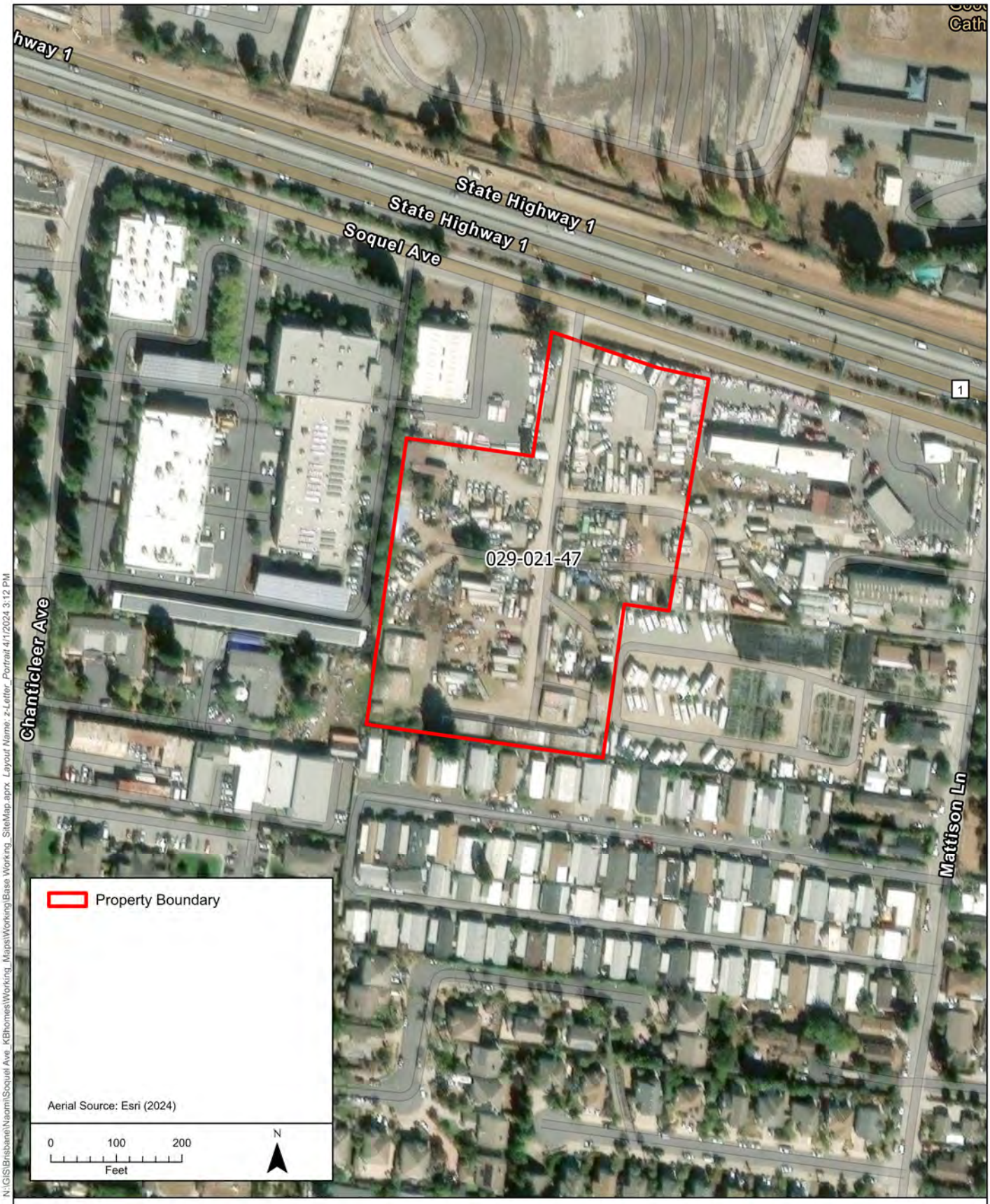
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5940 Soquel Avenue
Figure 1. Site and Vicinity Map

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5940 Soquel Avenue
Figure 2. Site Map

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5940 Soquel Avenue
Figure 3. Watershed Map

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Soquel Ave

W-1
SP-8
SP-9
W-2
C-1
C-2
W-3
SP-5
SP-6
SP-7
SP-2
W-4
SP-3
SP-4
OW-1
SP-1

Study Area (5.218 AC)
Sample Points
Potential Waters of the U.S./State
Culvert (165 LF)
Non-Wetland Ditch (0.010 AC/290 LF)
Wetland (0.033 AC)

Aerial Source: Esri (2024)

0 25 50
Feet

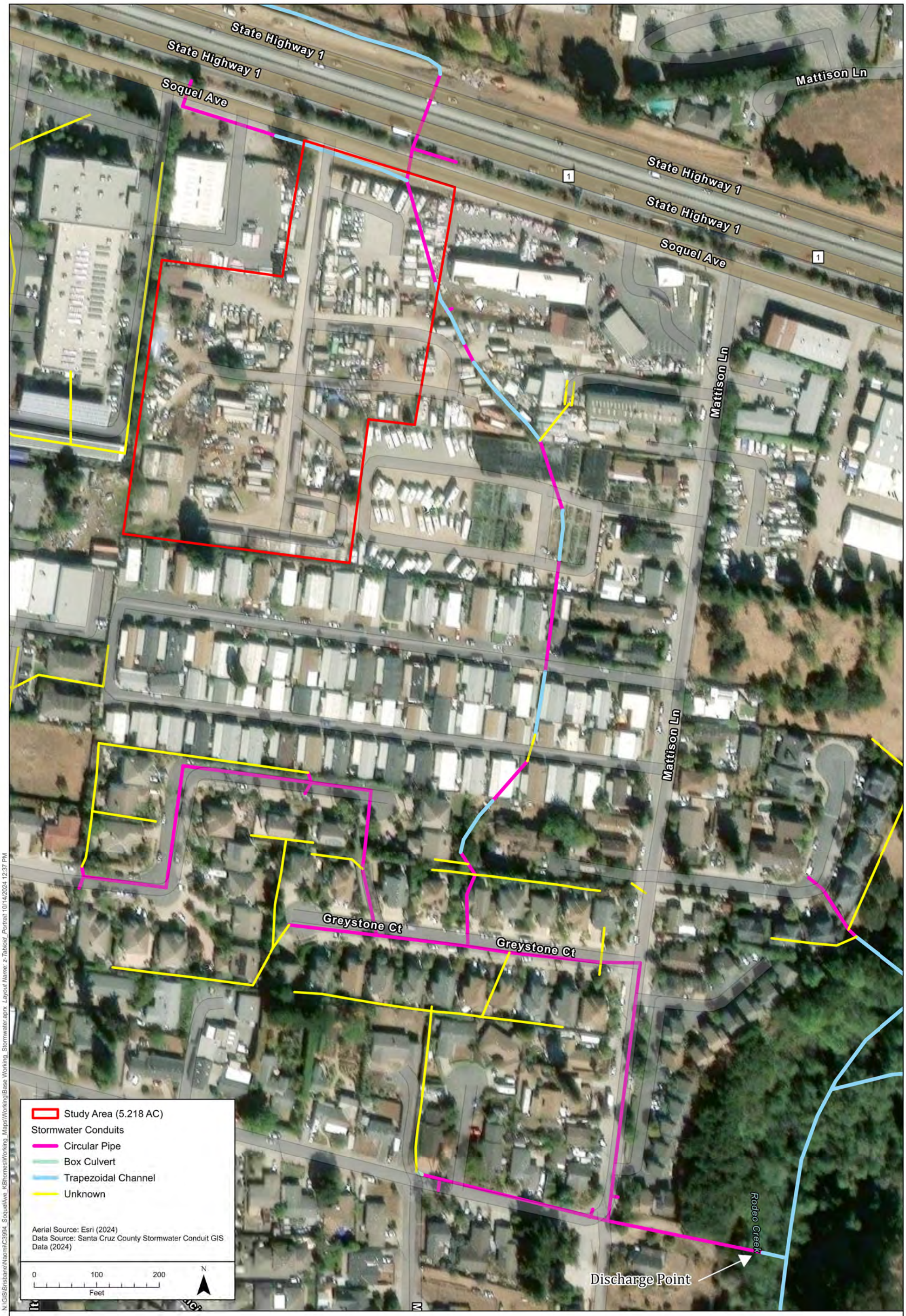
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5940 Soquel Avenue
Figure 4. Delineation Map

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5940 Soquel Avenue
Figure 5. Stormwater Map

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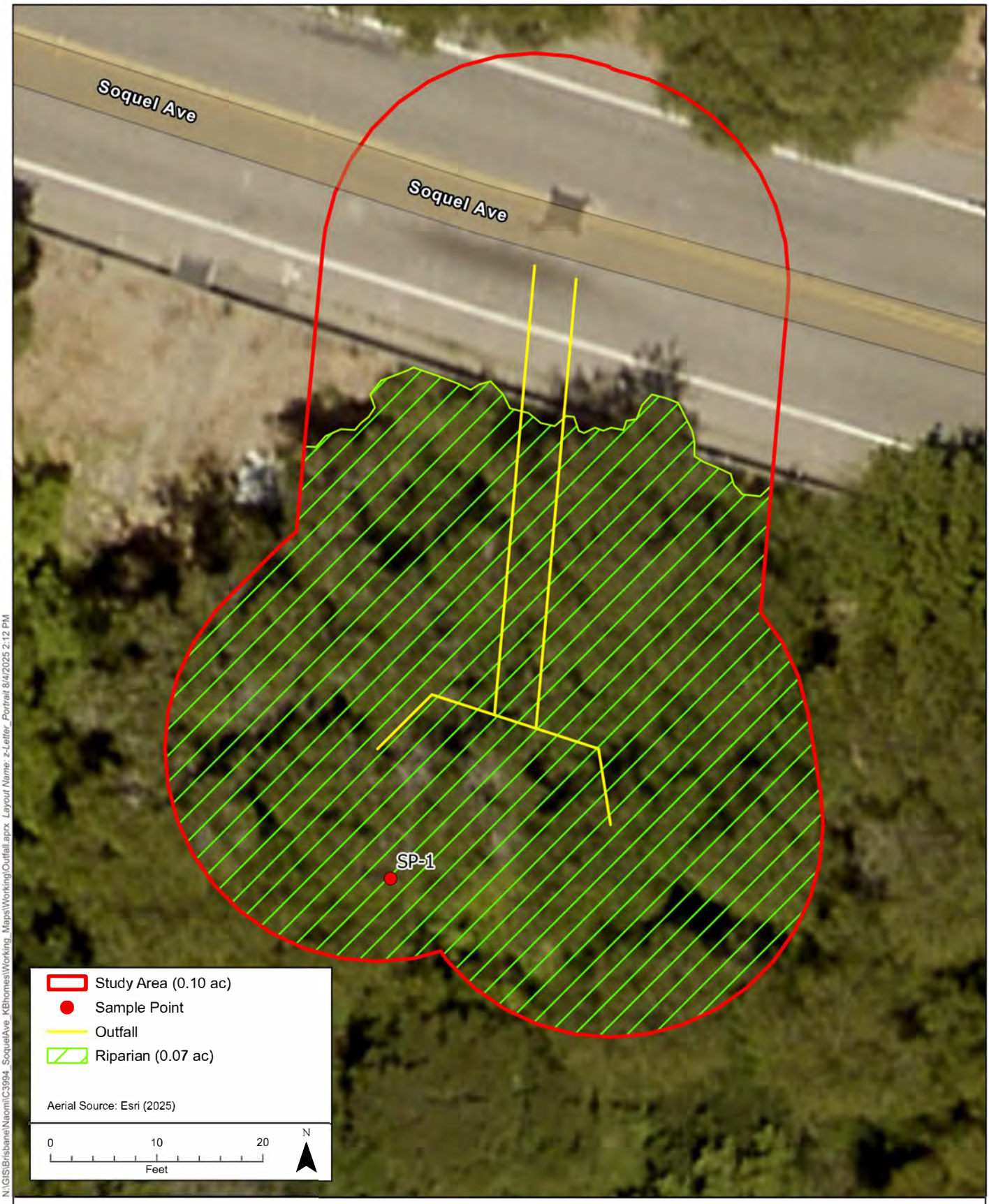


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5940 Soquel Avenue
Figure 6a. Impacts to Aquatic Resources Map

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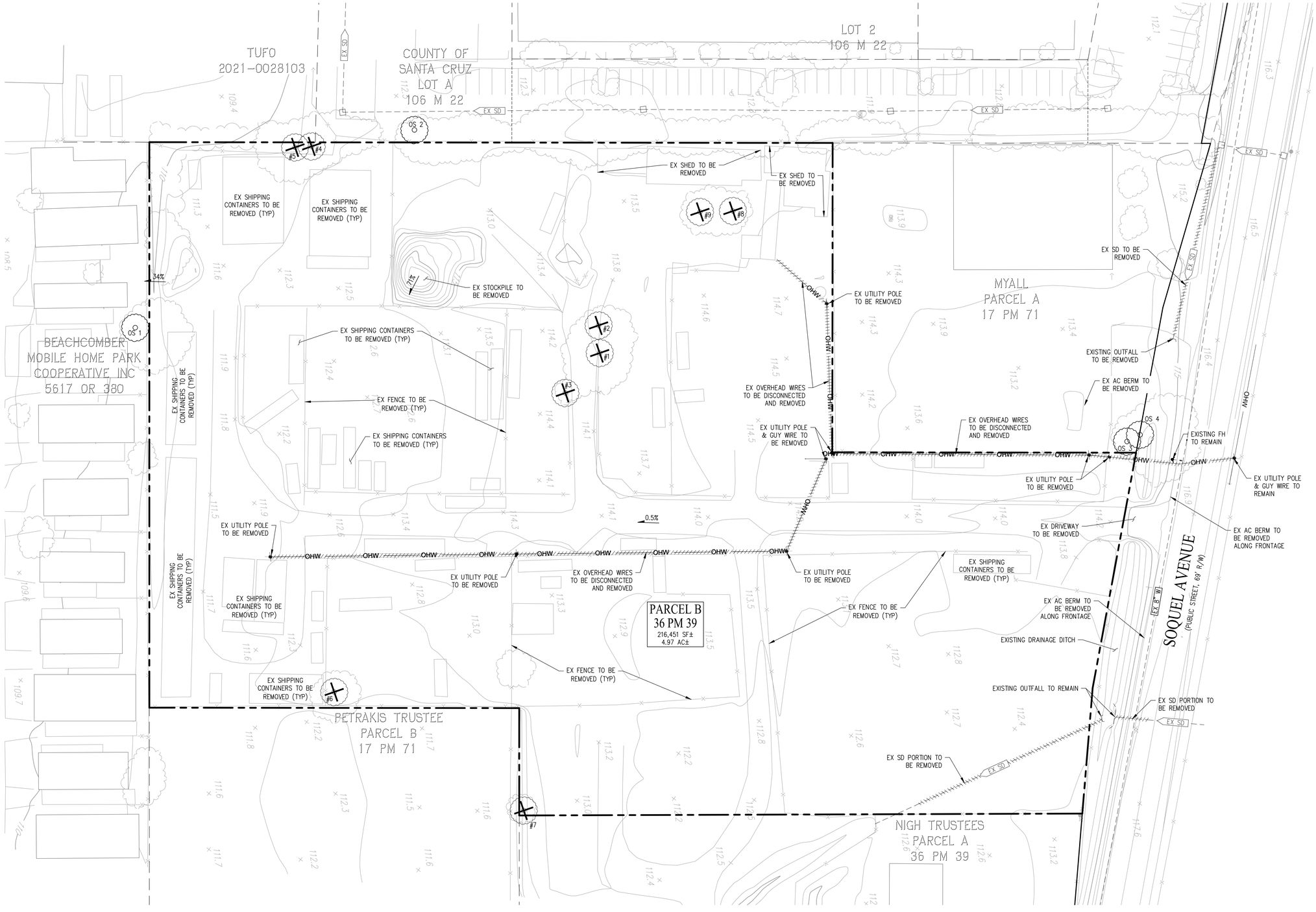
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5940 Soquel Avenue
Figure 6b. Impacts to Aquatic Resources Map at the Outfall Construction Area

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Appendix B. Site Plans

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LEGEND

- EXISTING BOUNDARY
- RIGHT OF WAY
- EXISTING CONTOUR
- EXISTING OVERHEAD WIRES
- EXISTING OVERHEAD WIRES TO BE REMOVED
- EXISTING STORM DRAIN
- EXISTING STORM DRAIN TO BE REMOVED
- EXISTING WATER MAIN
- EXISTING STORM DRAIN HEADWALL
- EXISTING FIELD INLET
- EXISTING FIRE HYDRANT
- EXISTING FENCE
- EXISTING TREE TO BE REMOVED
- EXISTING TREE TO REMAIN

ABBREVIATIONS

AC	ACRE
EX	EXISTING
FH	FIRE HYDRANT
R/W	RIGHT OF WAY
SD	STORM DRAIN
SF	SQUARE FEET
TYP	TYPICAL
W	WATER

ONSITE TREE SUMMARY

TREE #	COMMON NAME	DIAMETER (BREAST HEIGHT)(INCHES)
1	SILVER WATTLE	20
2	SILVER WATTLE	MULTI (8.2, 9.3, 5.3)
3	RED MAPLE	5
4	RIVER RED GUM	10.7
5	RIVER RED GUM	MULTI (19, 11)
6	COAST LIVE OAK	NOT ACCESSIBLE
7	BLACKWOOD ACACIA	9
8	RAYWOOD ASH	NOT ACCESSIBLE
9	RAYWOOD ASH	NOT ACCESSIBLE

OFFSITE TREE SUMMARY

TREE #	COMMON NAME	DIAMETER BREAST HEIGHT (INCHES)
OS 1	COAST REDWOOD	UNKNOWN
OS 2	LONDON PLANE	UNKOWN
OS 3	MONTEREY PINE	37.7
OS 4	MONTEREY PINE	41.1

NOTES:

1) ENTIRE SITE TO BE CLEARED; ALL EXISTING STRUCTURES, TREES, DEBRIS, AND UTILITIES TO BE REMOVED.

2) AVERAGE SITE SLOPE: 0.50%±
MAXIMUM SITE SLOPE: 71%±

MAXIMUM SITE SLOPE IS LOCALIZED TO EXISTING STOCKPILE AND NOT REFLECTIVE OF SITE CONDITIONS.

3) REFER TO ARBORIST REPORT BY HMH, DATED NOVEMBER 12, 2024 FOR TREE DATA.

4) REFER TO GEOTECHNICAL FEASIBILITY REVIEW BY CORNERSTONE EARTH GROUP, DATED MARCH 29, 2024 FOR SOILS DATA.

3903-000

5940 Soquel Avenue
Santa Cruz, CA
December 12, 2024

APN: 029-021-047
EXISTING SITE PLAN
TM-2

KB Home
5000 Executive Parkway, Suite 125, San Ramon, CA 94583
650.288.5970

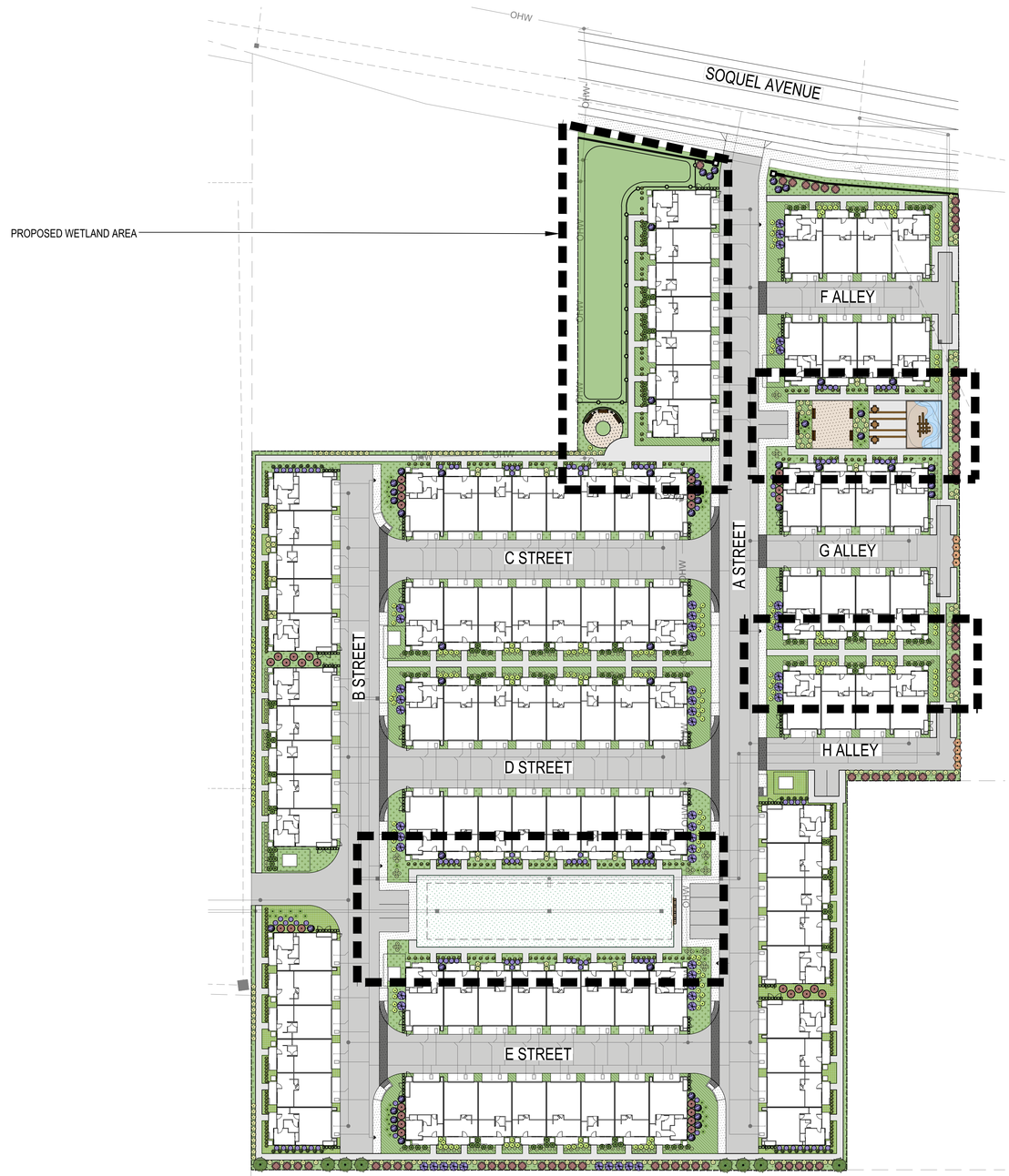
SDG Architects, Inc.
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0 30 60 90

REGISTERED PROFESSIONAL ENGINEER RYAN T. HANSEN 80557 CIVIL STATE OF CALIFORNIA

cbg CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON · ROSEVILLE

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HMH
Land Use Entitlements
Land Planning
Landscape Architecture
Civil Engineering
Utility Design
Land Surveying
Stormwater Compliance
1570 Oakland Road (408) 487-2200
San Jose, CA 95131 HMHca.com

SOQUEL AVENUE
SANTA CRUZ, CA
KB HOME

NO	DATE	DESCRIPTION

PROJECT NO:	6986.00
CAD DWG FILE:	698600CL.DWG
DESIGNED BY:	KY
DRAWN BY:	TC
CHECKED BY:	CM
DATE:	APRIL 16, 2025
SCALE:	1" = 40'

© HMH

OVERALL LANDSCAPE PLAN

L3

GRAPHIC SCALE
40 0 20 40 80 160
(In Feet)
1 inch = 40 feet

S:\PROJECTS\6986\00\LA\PLANNING\6986600CL.DWG

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Appendix C. Aquatic Resource Delineation Report

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Aquatic Resource Delineation Report

5940 Soquel Avenue

Prepared for
KB Home South Bay
5000 Executive Pkwy, Ste 125
San Ramon, CA 94583

Prepared by

433 Visitacion Avenue
Brisbane, CA 94005

October 2024

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ACRONYMS AND ABBREVIATIONS

AJD	Approved Jurisdictional Determination
APN	accessor parcel number
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CFGC	California Fish and Game Code
CFR	Code of Federal Regulations
Court	U.S. Supreme Court
CWA	Clean Water Act
EPA	Environmental Protection Agency
FAC	facultative
FACU	facultative upland
FACW	facultative wetland
Field Guide	*A Field Guide to Lake and Streambed Alteration Agreements: Section 1600-1607 California Fish and Game Code*
FR	Federal Register
GNSS	Global Navigation Satellite System
HQUSACE	Headquarters, U.S. Army Corps of Engineers
NL	not listed
NRCS	Natural Resources Conservation Service
OBL	obligate
OHWM	ordinary high water mark
ORM	OMBIL Regulatory Module
PDSI	Palmer Drought Severity Index
Procedures	*State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*
RWQCB	Regional Water Quality Control Board
Sackett	*Sackett v. EPA*
SWRCB	State Water Resources Control Board
UPL	upland

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U.S.	United States
USACE	U.S. Army Corps of Engineers
U.S.C.	United States Code
USGS	U.S. Geological Survey
WDR	waste discharge requirements

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1 INTRODUCTION

This report describes the extent and location of potential waters of the United States (U.S.) that may be subject to the U.S. Army Corps of Engineers (USACE) jurisdiction pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. [United States Code] Section 1344), potential waters of the State that may be subject to Regional Water Quality Control Board (RWQCB) jurisdiction pursuant to Section 401 of the CWA (33 U.S.C. Section 1341) and the Porter-Cologne Water Quality Control Act (Porter-Cologne Act), and streams, lakes, and riparian vegetation subject to California Department of Fish and Wildlife (CDFW) jurisdiction pursuant to Section 1602 of California Fish and Game Code within the 5940 Soquel Avenue Study Area (Study Area). This investigation of potentially jurisdictional waters of the U.S. and State follows the methods described in *A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (USACE 2008a); the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987), supplemented with guidance as directed by the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0)* (USACE 2008b); and the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (SWRCB 2021). The boundaries of potential waters of the U.S. and State depicted in this report represent a calculated estimation and are subject to modification following the regulatory review process. All provided maps are consistent with the most recent Map and Drawing Standards for the South Pacific Division Regulatory Program.

We are requesting that USACE issue a verification of the delineation map appended to this report. Though some of the aquatic resources present in the Study Area do not appear to meet the current regulatory definition of waters of the U.S., we do not believe that requesting an Approved Jurisdictional Determination (AJD) will result in improved permitting outcomes for KB Home South Bay.

1.1 STUDY AREA LOCATION

The approximately 5.2-acre Study Area is located at 5940 Soquel Avenue in the unincorporated Live Oak community of Santa Cruz County, California (Appendix A, Figure 1). The Study Area includes Accessor Parcel Number (APN) 029-021-47 and is within the Soquel, CA, U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle (Appendix A, Figure 2). The approximate center point is at latitude 36.9833278°, longitude -121.9765361°.

1.2 WATERSHED

The Study Area is in the Monterey Bay watershed (Hydrologic Unit Code 12: 180600150305). Monterey Bay is approximately 1.5 miles south of the Study Area. The closest relatively

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permanent tributary to Monterey Bay, Rodeo Creek Gulch, is located approximately one-quarter mile east of the Study Area (Appendix A, Figure 3).

1.3 SURROUNDING LAND USE

The Study Area is surrounded by development on all sides, including light-industrial, commercial, residential, and institutional developments. Soquel Avenue, a frontage road to State Route 1, borders the northern Study Area boundary.

1.4 TOPOGRAPHY

The Study Area is nearly flat, gently sloping southeast and southwest. Topographic depressions in the Study Area are associated with constructed ditches at the northern, southern, and eastern edges of the Study Area. Mounds of dirt and debris are scattered across the site.

1.5 EXISTING SITE CONDITIONS

The entire Study Area is developed or otherwise disturbed. According to a 2021 Draft Environment Impact Report prepared for the property by the County of Santa Cruz, existing uses on the site include storage, salvage, and salvage yard purposes. Towing, storage, and concrete businesses operate from the site, and storage containers, vehicles, boats, and campers are scattered across the site. Three sheds and an office trailer with an attached workshop are also present. There is a single ingress/egress point from Soquel Avenue and coarsely paved internal roadways throughout the Study Area.

1.6 VEGETATION COMMUNITIES

Vegetation communities in the Study Area include non-native annual grassland, seasonal wetland, ruderal, and ornamental/urban. Each of these vegetation communities is described below.

Non-Native Annual Grassland

This community is located within portions of the Study Area that are not subject to routine disturbance or planted with vegetation. This vegetation community occurs in patches throughout the Study Area and in linear strips at the edge of the Study Area. Typical plant species include *Festuca perennis* (Italian rye grass), *Avena* sp. (oats), *Bromus* sp. (brome), *Carduus pycnocephalus* (Italian thistle), *Erharta erecta* (panic veldt grass), *Geranium dissectum* (cutleaf geranium), *Helminthotheca echioides* (bristly ox tongue), *Hordeum murinum* (foxtail barley), *Hypochaeris* sp. (cat's ear), *Lysimachia arvensus* (scarlet pimpernel), *Medicago polymorpha*

Exhibit J

(burclover), *Plantago lanceolata* (narrowleaf plantain), *Raphanus* sp. (radish), and *Rumex crispus* (curly dock). A low cover of *Rubus armeniacus* (Himalayan blackberry) was commonly observed in this vegetation community.

Seasonal Wetland

This community is located in topographic low points at the southwestern, northern, and northeastern edges of the Study Area. During the October 2024 site visit, this community was characterized by a significant cover of plant species that generally occur in wetlands, including *Cyperus eragrostis* (tall flatsedge), *Mentha pulegium* (pennyroyal), *Epilobium ciliatum* (slender willow herb), and *Polypogon viridis* (beardless rabbitsfoot grass), mixed with plant species that are common to both wetlands and uplands, including Italian rye grass, Himalayan blackberry, and curly dock.

Ruderal

This community is located in portions of the Study Area subject to routine disturbance. This community contains species quick to colonize disturbed surfaces, such as *Foeniculum vulgare* (fennel), *Fumaria capreolata* (white ramping fumitory), *Parietaria Judaica* (spreading pellitory), and various species common in the non-native annual grassland community. Plant cover and species diversity are generally lower in the ruderal community than the non-native annual grassland community.

Ornamental/Urban

This community is located throughout the Study Area and consists of planted native and non-native species, including *Platanus acerifolia* (London planetree), *Fraxinus velutina* (Arizona ash), *Acacia baileyana* (bailey acacia), *Fraxinus angustifolia* (Raywood ash), *Cortaderia jubata* (pampas grass), *Crassula ovata* (jade), *Echium candicans* (pride of Madeira), *Herdera helix* (English ivy), *Lonicera japonica* (Japanese honeysuckle), *Eucalyptus globulus* (blue gum), and *Quercus agrifolia* (coast live oak).

1.7 SOILS

According to the Natural Resources Conservation Service (NRCS) Web Soil Survey, one soil map unit is present in the Study Area: Elkhorn sandy loam, 2 to 9 percent slopes. Elkhorn soils are derived from marine deposits and occur on terraces and alluvial fans. The typical soil profile is composed of sandy loam and sandy clay loam. Elkhorn soils are well drained with low runoff and no shallow restrictive features. One percent of this soil map unit has a hydric soil rating.

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1.8 HYDROLOGY

Most of the Study Area drains southwest and derives hydrology primarily from direct precipitation. However, the northern and eastern portions of the Study Area drain southeast and derive hydrology from runoff from Soquel Avenue, State Route 1, and lands north of State Route 1.

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2 REGULATORY SETTING

2.1 WATERS OF THE UNITED STATES

Waters of the U.S. are regulated by USACE and the RWQCB in accordance with Section 404 and 401 the Clean Water Act, respectively. The definition of waters of the U.S. has been the subject of significant litigation and repeated regulatory revisions. The current definition of waters of the U.S. at 33 Code of Federal Regulations (CFR) Part 328 is the direct result of the May 25, 2023, U.S. Supreme Court (Court) decision in *Sackett* v. *Environmental Protection Agency* (EPA), 598 U.S._, 143 S. Ct. 1322 (2023) (*Sackett*). In the *Sackett* ruling, the Court concluded that "the [Clean Water Act]'s use of `waters' encompasses `only those relatively permanent, standing or continuously flowing bodies of water "forming geographic[al] features" that are described in ordinary parlance as "streams, oceans, rivers, and lakes." ' " *Id.* at 1336 (quoting *Rapanos*, 547 U.S. at 739). The Court thereby eliminated all ephemeral waterbodies from the definition of waters of the U.S. The Court further concluded that wetlands are only waters of the U.S. "when wetlands have `a continuous surface connection to bodies that are "waters of the United States" in their own right, so that there is no clear demarcation between "waters" and wetlands.' " *Id.* at 1344 (citing *Rapanos*, 547 U.S. at 742, 755). Therefore, wetlands without a "continuous surface connection" to a relatively permanent water were eliminated from the definition of waters of the U.S. Finally, the Court concluded that wetlands do not qualify as waters of the U.S. solely because they are interstate. According to the Court, only open waters qualify as waters of the U.S. on the sole basis of being interstate. The *Sackett* decision has therefore reduced the authority of regulatory agencies under the Clean Water Act.

On September 8, 2023 (88 FR [Federal Register] 61964), the EPA and the Department of the Army amended the regulatory definition of waters of the U.S. under the Clean Water Act to conform with the *Sackett* ruling. The current definition of waters of the U.S. at 33 CFR § 328.3 reads as follows:

(a) Waters of the United States means:

(1) Waters which are:

(i) Currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

(ii) The territorial seas; or

(iii) Interstate waters;

Exhibit J

(2) Impoundments of waters otherwise defined as waters of the United States under this definition, other than impoundments of waters identified under paragraph (a)(5) of this section;

(3) Tributaries of waters identified in paragraph (a)(1) or (2) of this section that are relatively permanent, standing or continuously flowing bodies of water;

(4) Wetlands adjacent to the following waters:

(i) Waters identified in paragraph (a)(1) of this section; or

(ii) Relatively permanent, standing or continuously flowing bodies of water identified in paragraph (a)(2) or (a)(3) of this section and with a continuous surface connection to those waters;

(5) Intrastate lakes and ponds not identified in paragraphs (a)(1) through (4) of this section that are relatively permanent, standing or continuously flowing bodies of water with a continuous surface connection to the waters identified in paragraph (a)(1) or (a)(3) of this section.

(b) The following are not "waters of the United States" even where they otherwise meet the terms of paragraphs (a)(2) through (5) of this section:

(1) Waste treatment systems, including treatment ponds or lagoons, designed to meet the requirements of the Clean Water Act;

(2) Prior converted cropland designated by the Secretary of Agriculture. The exclusion would cease upon a change of use, which means that the area is no longer available for the production of agricultural commodities. Notwithstanding the determination of an area's status as prior converted cropland by any other Federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA;

(3) Ditches (including roadside ditches) excavated wholly in and draining only dry land and that do not carry a relatively permanent flow of water;

(4) Artificially irrigated areas that would revert to dry land if the irrigation ceased;

(5) Artificial lakes or ponds created by excavating or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing;

(6) Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating or diking dry land to retain water for primarily aesthetic reasons;

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(7) Waterfilled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States; and

(8) Swales and erosional features (e.g., gullies, small washes) characterized by low volume, infrequent, or short duration flow.

2.1.1 Limit of Jurisdiction in Non-Tidal Waters

Per 33 CFR § 328.4(c), the limit of Clean Water Act jurisdiction in non-tidal waters is either the "ordinary high water mark" (OHWM) or the wetland edge. Wetlands are defined as "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR § 328.3(c)(1), 51 FR 41251, November 13, 1986). The OHWM is defined as the "line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas" (33 CFR § 328.3(c)(4), 51 FR 41251, November 13, 1986).

2.1.2 Wetland Determinations

Consistent with the *Army Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987) and *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0)* (USACE 2008b), to be designated a wetland, the following three parameters must be met if normal circumstances are present:

(1) a majority of dominant vegetation species are wetland-associated species;

(2) hydrologic conditions exist that result in periods of flooding, ponding, or saturation during the growing season; and

(3) hydric soils are present.

The criteria necessary to meet these three wetland parameters are outlined below.

2.1.2.1 Vegetation

Hydrophytic vegetation is defined as "the sum total of macrophytic plant life that occurs in areas where the frequency and duration of inundation or soil saturation produce permanent or periodically saturated soils of sufficient duration to exert a controlling influence on the plant species present" (Environmental Laboratory 1987). The USACE definition of wetlands includes

Exhibit J

"a prevalence of vegetation typically adapted for life in saturated soil conditions," with prevalence determined by the dominant plant species comprising the plant community (op. cit.).

The "50/20 rule" is generally used to determine dominant plant species at each sample point location. The rule states that for each stratum in the plant community, dominant species are the most abundant plant species (when ranked in descending order of abundance and cumulatively totaled) that immediately exceed 50 percent of the total dominance measure for the stratum, plus any additional species that individually comprise 20 percent or more of the total dominance measure for the stratum (HQUSACE [Headquarters, USACE] 1992). Dominant plant species observed at each sample point are classified according to their indicator status (probability of occurrence in wetlands) (Table 1). If more than 50 percent of the dominant vegetation on a site is classified as obligate (OBL), facultative wetland (FACW), or facultative (FAC), then the site meets the wetland vegetation parameter under the 50/20 rule.

Table 1. Classification of Wetland-Associated Plant Species

Plant Species Classification	Abbreviation	Probability of Occurring in Wetland
Obligate	OBL	Almost always occur in wetlands
Facultative Wetland	FACW	Usually occur in wetlands but may occur in non-wetlands
Facultative	FAC	Occur in wetlands and non-wetlands
Facultative Upland	FACU	Usually occur in non-wetlands but may occur in wetlands
Upland	UPL	Almost never occur in wetlands
Plants that are not listed	NL (UPL)	Assumed upland species

2.1.2.2 Hydrology

By definition, wetlands are seasonally inundated or saturated at or near (within 12 inches of) the soil surface. To be classified as a wetland, a site should have at least one primary indicator or two secondary indicators of wetland hydrology. Examples of primary indicators of wetland hydrology include surface soil cracks, water-stained leaves, and biotic crust. In addition to the primary indicators, there are a variety of secondary wetland hydrology indicators. Examples of secondary indicators include drainage patterns, saturation visible on aerial imagery, and dry-season water table.

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2.1.2.3 Soils

A hydric soil is defined as a soil that is formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (NRCS 2003). Indicators that a hydric soil is present include soil color (gleyed soils and soils with bright mottles and/or low matrix chroma), aquic or preaquic moisture regime, reducing soil conditions, sulfidic material (odor), soils listed on hydric soils list, iron and manganese concretions, organic soils (Histosols), histic epipedon, high organic content in surface layer in sandy soils, and organic streaking in sandy soils. A soil pit is excavated to the depth of refusal at each sample point. The soil is then examined for hydric soil indicators. The matrix color and mottle color (if present) of the soil are determined using the Munsell Soil Color Charts (Kollmorgen Instruments Co. 1990).

2.2 WATERS OF THE STATE

The RWQCB also is authorized under Section 13263 of the Porter-Cologne Act to regulate discharges to waters of the State through issuance of permits referred to as waste discharge requirements (WDRs). In Section 13050(e), the act defines waters of the State to mean any surface water or groundwater, including saline waters, within the boundaries of California. This definition may include wetlands and drainages that are outside federal jurisdiction.

The State Water Resources Control Board (SWRCB) further clarified the definition of wetlands that qualify as waters of the State through adoption of the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures) (SWRCB 2021). Under the Procedures, the State defines wetlands as follows:

> "An area is wetland if, under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes or the area lacks vegetation."

The Procedures further state that waters of the State include all waters of the U.S., including all "features that are consistent with any current or historic final judicial interpretation of 'waters of the U.S.' or any current or historic federal regulation defining 'waters of the U.S.' under the Clean Water Act." USACE wetland delineation procedures are to be used to identify State-regulated wetlands, and the following wetland types are waters of the State:

(1) natural wetland;

(2) wetlands created by modification of a surface water of the State; and

Exhibit J

(3) artificial wetlands that meet certain criteria.

All artificial wetlands that are less than an acre in size are not waters of the State unless they were created by modification of a surface water of the State; approved as compensatory mitigation for impacts to other waters of the State; specifically identified in a water quality control plan as a wetland or other water of the state; or resulted from historic human activity, is not subject to ongoing operation and maintenance, and has become a relatively permanent part of the natural landscape.

2.3 CDFW 1602 JURISDICTION

CDFW regulates diversions and obstructions of the natural flows, and material changes or uses of the beds, channels, or banks, of rivers, streams, and lakes under Section 1602 of California Fish and Game Code (CFGC). The term stream, which includes creeks and rivers, is defined in 14 California Code of Regulations (CCR) Section 1.72 as follows: "A stream is a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation." Per Section 1.56, the term lake "includes natural lakes or man-made reservoirs."

Per *A Field Guide to Lake and Streambed Alteration Agreements: Section 1600-1607 California Fish and Game Code* (Field Guide; California Department of Fish and Game (CDFG) 1994), this definition is not complete with respect to Sections 1601 or 1603 because it does not define the terms bed, channel, or bank, and does not define stream related features such as aquatic life, riparian vegetation, etc. The Field Guide clarifies the definition as follows.

(1) The term stream can include intermittent and ephemeral streams, rivers, creeks, dry washes, sloughs, blue-line streams (USGS Maps), and watercourses with subsurface flow. Canals, aqueducts, irrigation ditches, and other means of water conveyance can also be considered streams if they support aquatic life, riparian vegetation, or stream-dependent wildlife.

(2) Biologic components of a stream may include aquatic and riparian vegetation.

(3) A stream not only includes water (at least on an intermittent or ephemeral basis), but also a bed, bank, and/or levee.

(4) The lateral extent of a stream can be measured in ways depending on a particular situation and the type of fish or wildlife resources at risk. The following criteria are applicable to the proposed project.

Exhibit J

a. The outer edge of riparian vegetation is generally used as the line of demarcation between riparian and upland habitats and is therefore a reasonable and identifiable boundary for the lateral extent of a stream.

b. Most streams have a natural bank which confines flows to the bed or channel except during flooding. In some instances, particularly on smaller streams or dry washes with little or no riparian habitat, the bank should be used to mark the lateral extent of a stream.

c. A levee or other artificial stream bank could be used to mark the lateral extent of a stream. However, in many instances, there can be extensive areas of valuable riparian habitat located behind a levee (CDFG 1994).

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3 METHODS

Aquatic resources in the Study Area were mapped using a Juniper Systems Geode Global Navigation Satellite System (GNSS) with sub-meter accuracy. All wetland data was recorded on Arid West Routine Wetland Determination Data Forms (Appendix B). The shapefiles obtained from the mapping effort were projected onto an aerial map using ArcGIS Pro, Version 3.3.1 (Appendix A, Figure 4). Munsell Soil Color Charts (Kollmorgen Instruments Co. 1990) were used to aid in identifying hydric soils in the field. The Jepson eFlora (Jepson Flora Project 2024) was used for plant nomenclature and identification. Plant wetland indicator status was provided by the National Wetland Plant List 2020 wetland ratings (USACE 2020).

Field surveys were conducted on April 4 and October 8, 2024, by Naomi Schowalter, Shea Grady, and Sarah Beilman of Integral Consulting Inc. Representative photographs of the Study Area are provided in Appendix C. The April 4 survey was a reconnaissance-level effort, and the formal delineation of aquatic resources was conducted on October 8. A total of nine sample points, including three paired and three unpaired sample points, were evaluated to determine whether the vegetation, hydrology, and soils data supported a determination of wetland or non-wetland status. The paired sample points were established such that one point was located within the estimated wetland area and the other point was located outside the limits of the estimated wetland area.

Exhibit J

4 RESULTS

A total of 0.043 acre (455 linear feet) of aquatic resources potentially jurisdictional pursuant to the Clean Water Act and Porter-Cologne Act were mapped in the Study Area, including 0.033 acre of seasonal wetlands, 0.010 acre (290 linear feet) of non-wetland waters, and 165 linear feet of culverted waters. Potential waters of the U.S/State in the Study Area are summarized in Table 2. A delineation map is provided in Appendix A, Figure 4, and an OMBIL Regulatory Module (ORM) upload sheet is provided in Appendix D.

Table 2. Potential Waters of the U.S./State

Feature ID	Cowardin Code	Acres	Linear Feet
W-1	PEM (palustrine, emergent)	0.005	N/A
W-2	PEM (palustrine, emergent)	0.015	N/A
W-3	PEM (palustrine, emergent)	0.002	N/A
W-4	PEM (palustrine, emergent)	0.011	N/A
OW-1	R6 (riverine, ephemeral)	0.010	290
C-1	R4 (riverine, intermittent)	N/A	11
C-2	R4 (riverine, intermittent)	N/A	154
TOTAL		0.043	455

4.1 WETLANDS

Four seasonal wetlands (W-1, -2, -3, and -4) totaling 0.033 acre were identified in the Study Area (Table 2). Dominant plant species in the wetlands included tall flatsedge (FACW), Italian rye grass (FAC), beardless rabbitsfoot grass (FACW), and pennyroyal (OBL). Hydric soil indicators included Redox Dark Surface (F6) and Sandy Redox (S5). Hydrology indicators included Saturation Visible on Aerial Imagery (C9), Shallow Aquitard (D3), and FAC-Neutral Test (D5). Surface water was noted in W-1, -2, and -4 during the April site visit (W-3 was not observed at this time).

Wetlands in the Study Area are associated with topographic depressions receiving channelized runoff from upslope surfaces. Geospatial data from Santa Cruz County (2024) indicates that W-1, W-2, and W-3 are part of the County's stormwater conduit system (Appendix A, Figure 5), and stormwater pipes drain to and from each wetland. However, no culverts were visible at W-1 during the field surveys, and the culvert between W-2 and W-3 was mostly filled with sediment. W-4 is not part of the County's stormwater conduit system but occurs at the terminus of a drainage ditch (OW-1) along the southern boundary of the Study Area.

Exhibit J

4.2 OTHER WATERS

One other water (OW-1) was identified along the southern boundary of the Study Area, consisting of a 1.5-foot-wide constructed ditch. It is assumed that this ditch was constructed to prevent runoff from the Study Area from flooding the residential development to the south. Indicators of the OHWM included scour, sediment sorting, and shifts in vegetation characteristics. This ditch is anticipated to receive ephemeral flows in response to major precipitation events.

Another ditch was observed along the eastern portion of the Study Area that did not contain an OHWM (located at SP-7 on Appendix A, Figure 4). This ditch was constructed between two graded lots. A sample point was documented due to a low cover of tall flatsedge and pennyroyal observed in the ditch. It was concluded that this ditch is neither a wetland nor an other water.

4.3 CULVERTED WATERS

Two culverted waters were identified in the Study Area (C-1 and -2). C-1 is a 36-inch pipe that conveys flows from north of State Route 1 under the highway. Also, a drop inlet was observed along the southern edge of State Route 1 that conveys runoff from the highway directly into C-1. C-2 conveys flows from C-1 and W-2 to W-3. However, the inlet to C-2 is mostly filled with sediment, and the headwall is separated from the culvert. C-2 was estimated to be 18 inches wide. Both C-1 and C-2 are assumed to have intermittent flow based upon the standing water observed in W-2 during the April site visit.

Exhibit J

5 JURISDICTION DISCUSSION

5.1 CLEAN WATER ACT

W-1, W-4, and OW-1 do not appear to qualify as waters of the U.S. under the current regulatory definition resulting from the *Sackett* ruling. OW-1 appears to have ephemeral flow and therefore does not meet the definition of a "tributary." W-1 and W-4 do not appear to have any existing connectivity to waters of the U.S. W-1 is currently a closed depression without any visible culvert inlets or outlets. W-4 appears to end on the adjacent property without flowing into any other aquatic features or the storm drain system. Santa Cruz County's stormwater conduit data does not display any stormwater facilities in the vicinity of W-4 (Appendix A, Figure 5). Therefore, W-1 and W-4 are not "adjacent" wetlands.

W-2 and W-3 are wetland ditches connected to Rodeo Creek Gulch via approximately 2,100 linear feet of stormwater pipes and ditches according to the County's stormwater conduit data (Appendix A, Figure 5). While it is unclear whether this connection to Rodeo Creek Gulch is sufficient to qualify the features as adjacent wetlands, USACE could also evaluate these features as potential tributary waters. It seems likely that these features would qualify as tributaries based on being relatively permanent standing or continuously flowing bodies of water connected to Monterey Bay via Rodeo Creek Gulch. Standing/flowing water observed in W-2 during the April site visit (W-3 was not observed at this time) and surface water visible in multiple aerial photos indicate that these features meet the "relatively permanent" criterion. Therefore, W-2 and W-3 are expected to meet the current definition of waters of the U.S.

Since some of the aquatic resources in the Study Area appear to meet the definition of waters of the U.S. and the total area of aquatic resources in the Study Area is so low, there does not appear to be any benefit from requesting that USACE disclaim jurisdiction over isolated features through issuance of an AJD. A request for an AJD is likely to delay the permitting process while not resulting in reduced permit requirements. Therefore, we are requesting that USACE verify the delineation map in writing.

5.2 PORTER-COLOGNE ACT

All aquatic features identified in the Study Area are regulated by the RWQCB pursuant to the Porter-Cologne Act.

5.3 CDFW 1602 JURISDICTION

We do not believe that any of the aquatic features identified in the Study Area qualify as rivers, streams, or lakes regulated pursuant to CFGC Section 1602. The Study Area only contains

Exhibit J

constructed ditches and associated wetlands. Evidence indicates that the ditches were constructed for the purpose of managing runoff from disturbed surfaces with low or no permeability rather than re-routing a natural watercourse. There are no records of historic stream channels in or near the Study Area that would have been diverted into the ditches. Additionally, the ditches are set within a heavily developed landscape and provide little value to wildlife resources. Therefore, CDFW does not appear to have regulatory authority pursuant to CFGC Section 1602. However, CDFW exercises a broad interpretation of their regulatory authority under CFGC Section 1602, and if CDFW is questioned regarding their jurisdictional authority, we expect them to take jurisdiction over most or all of the aquatic features in the Study Area. Since failing to provide CDFW with a Notification of Lake or Streambed Alteration may result in the issuance of a violation, project delays, and little cost savings (due to overlapping RWQCB jurisdiction), CDFW should likely be engaged.

Exhibit J

6 CONCLUSION

A total of 0.043 acre (455 linear feet) of aquatic resources potentially jurisdictional pursuant to the Clean Water Act, Porter-Cologne Act, and CFGC Section 1602 were mapped in the Study Area. Of these aquatic features, 0.033 acre were seasonal wetlands, 0.010 acre (290 linear feet) were ephemeral other waters, and 165 linear feet were culverted waters. The mapped extent of all aquatic features and determinations regarding jurisdiction are subject to modification following the regulatory review process.

Exhibit J

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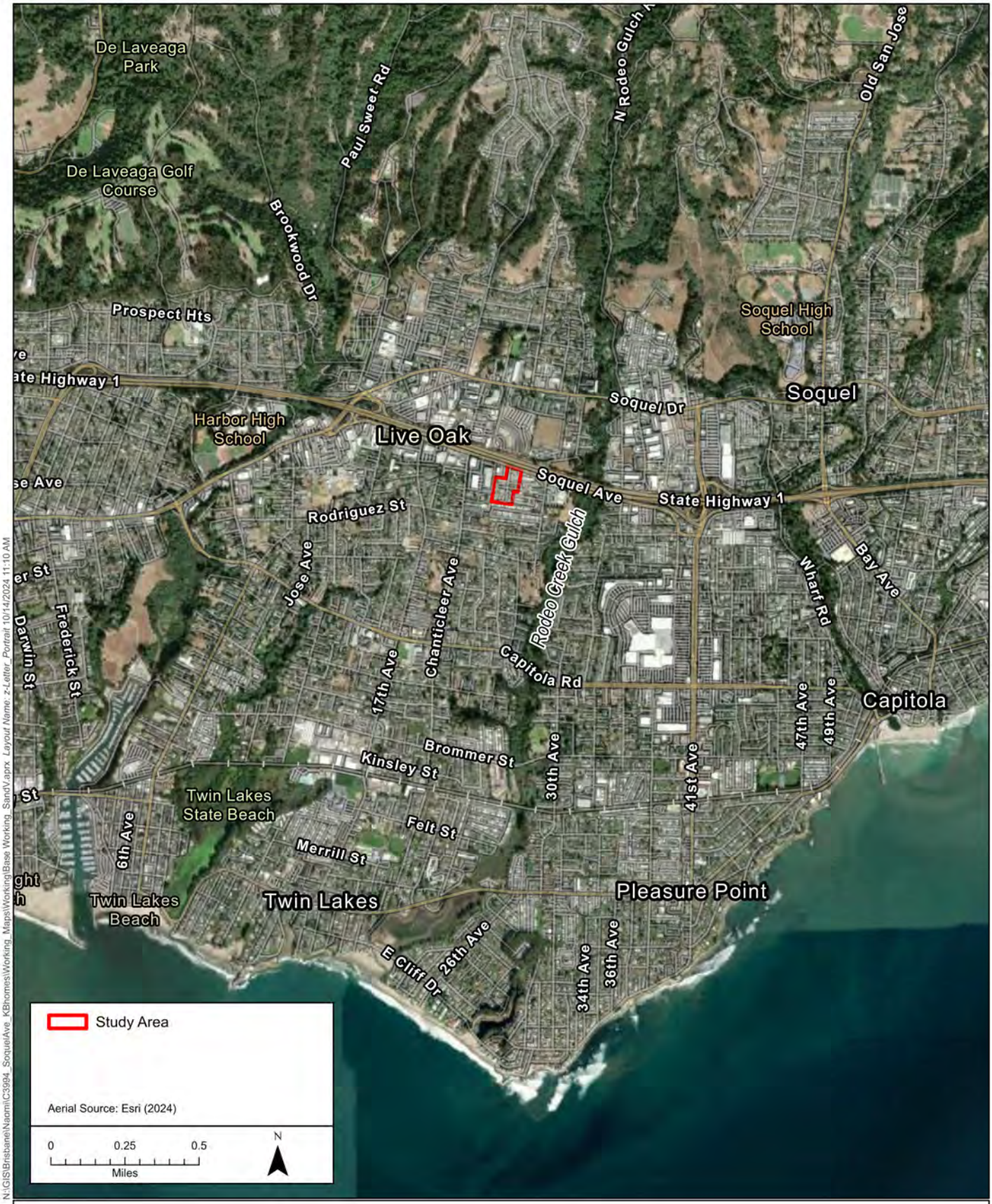
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Exhibit J

Appendix A. Figures

Exhibit J



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5940 Soquel Avenue
Figure 1. Site and Vicinity Map

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5940 Soquel Avenue
Figure 2. USGS Topographic Map

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integral consulting inc.

5940 Soquel Avenue
Figure 3. Watershed Map

Exhibit J

Soquel Ave

W-1
SP-8
SP-9
W-2
C-1
C-2
W-3
SP-5
SP-6
SP-7
SP-2
W-4
SP-3
SP-4
OW-1
SP-1

Study Area (5.218 AC)
Sample Points
Potential Waters of the U.S./State
Culvert (165 LF)
Non-Wetland Ditch (0.010 AC/290 LF)
Wetland (0.033 AC)

Aerial Source: Esri (2024)

0 25 50
Feet

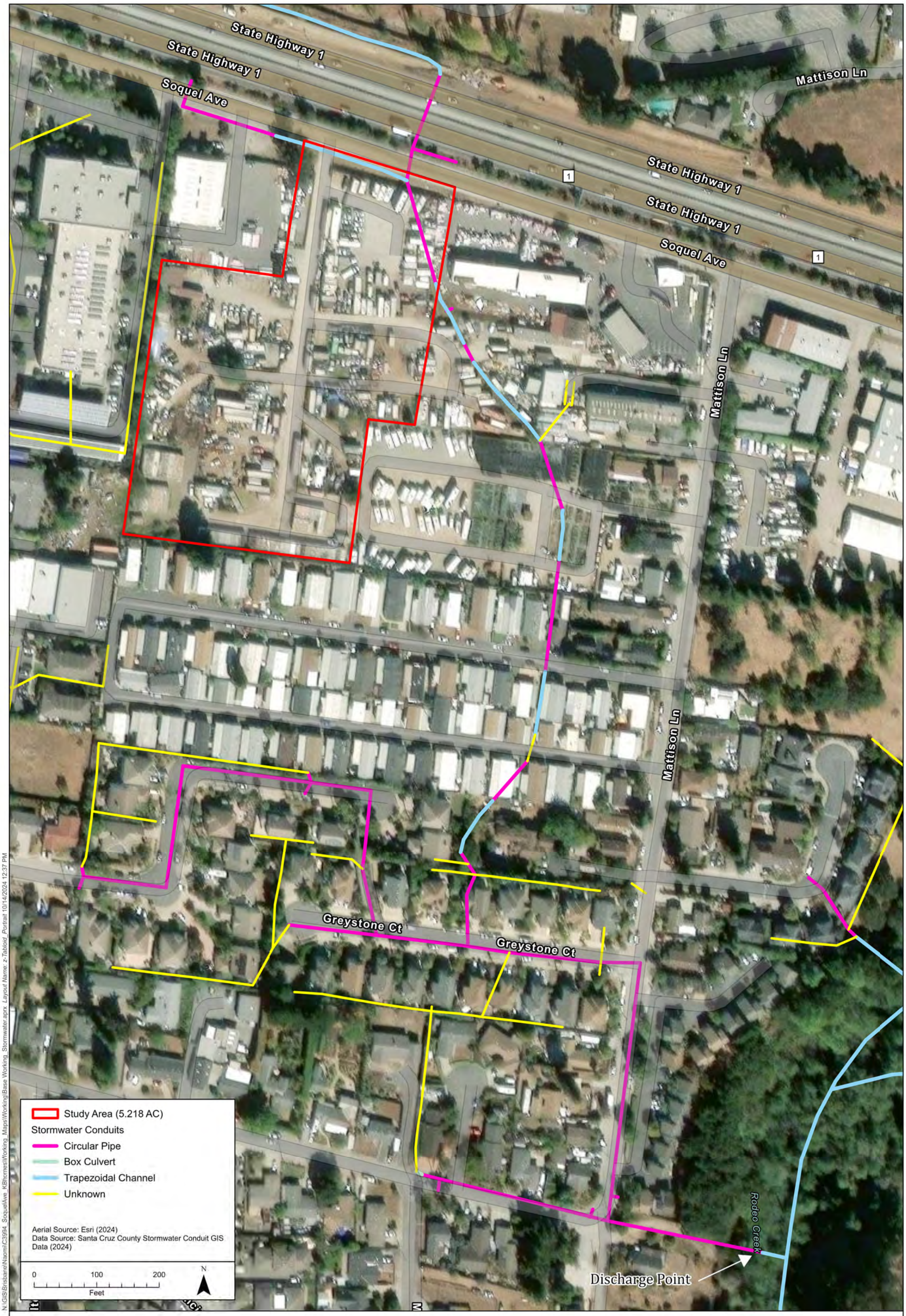
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5940 Soquel Avenue
Figure 4. Delineation Map

Exhibit J



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5940 Soquel Avenue
Figure 5. Stormwater Map

Exhibit J

Appendix B. Wetland Determination Data Forms

Exhibit J

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue | City/County: Santa Cruz County | Sampling Date: 10/8/2024
Applicant/Owner: KB Homes | State: CA | Sampling Point: SP-1
Investigator(s): Naomi Schowalter, Shea Grady | Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace | Local relief (concave, convex, none): concave | Slope (%):
Subregion (LRR): LRR C | Lat: 36.9825050 | Long: -121.9762510 | Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes | NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
Are Vegetation X, Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No
Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No
Hydric Soil Present? Yes No X
Wetland Hydrology Present? Yes No X

Is the Sampled Area within a Wetland? **Yes** **No** X

Remarks:
Vegetation appears to have been weed wacked.

VEGETATION – Use scientific names of plants.

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size:)			
1.			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size:)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 1 m)			
1. *Lolium perenne*	80	Yes	FAC
2. *Rubus armeniacus*	20	No	FAC
3. *Lactuca serriola*	2	No	FACU
4.			
5.			
6.			
7.			
8.			
	102 =Total Cover		
Woody Vine Stratum (Plot size:)			
1.			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum % Cover of Biotic Crust

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:
X Dominance Test is >50%
Prevalence Index is ≤3.0[1]
Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No**

Remarks:
Grass composition difficult to determine with certainty due to weed wacking.

Exhibit J

SOIL

Sampling Point: SP-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-11	10YR 2/1	99	7.5YR 4/4	1	C	M	Loamy/Clayey	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Exhibit J

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-2
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): concave Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9826079 Long: -121.9773589 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No ____
Hydric Soil Present? Yes X No ____
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? **Yes** X **No** ____

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____	=Total Cover	
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____	=Total Cover	
Herb Stratum (Plot size: 1 m)			
1. *Polypogon viridis*	50	Yes	FACW
2. *Rubus armeniacus*	20	No	FAC
3. *Cyperus eragrostis*	40	Yes	FACW
4. *Mentha pulegium*	10	No	OBL
5.			
6.			
7.			
8.			
	120	=Total Cover	
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____	=Total Cover	

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)

Prevalence Index = B/A = ____

Hydrophytic Vegetation Indicators:
X Dominance Test is >50%
____ Prevalence Index is ≤3.0[1]
____ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
____ Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No** ____

Remarks:

Exhibit J

SOIL

Sampling Point: SP-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-9	10YR 2/1	90	7.5YR 4/4	10	C	M	Loamy/Clayey	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- X Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

This area was ponded during an April 2024 site visit.

Exhibit J

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-3
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): convex Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9825965 Long: -121.9773732 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____ =Total Cover		
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____ =Total Cover		
Herb Stratum (Plot size: 1 m)			
1. *Hedera helix*	5	Yes	FACU
2. *Rubus armeniacus*	10	Yes	FAC
3.			
4.			
5.			
6.			
7.			
8.			
	15 =Total Cover		
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____ =Total Cover		

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 50.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	10	x 3 =	30
FACU species	5	x 4 =	20
UPL species	0	x 5 =	0
Column Totals:	15 (A)		50 (B)

Prevalence Index = B/A = 3.33

Hydrophytic Vegetation Indicators:
___ Dominance Test is >50%
___ Prevalence Index is ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:

Exhibit J

SOIL

Sampling Point: SP-3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-10	10YR 2/2	100					Loamy/Clayey	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

This area was ponded during an April 2024 site visit.

Exhibit J

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-4
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): concave Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9825673 Long: -121.9768776 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____ =Total Cover		
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____ =Total Cover		
Herb Stratum (Plot size: 1 m)			
1. *Lolium perenne*	60	Yes	FAC
2. *Cyperus eragrostis*	15	No	FACW
3. *Lonicera japonica*	15	No	FACU
4.			
5.			
6.			
7.			
8.			
	90 =Total Cover		
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____ =Total Cover		

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)
Prevalence Index = B/A = ____	

Hydrophytic Vegetation Indicators:
X Dominance Test is >50%
____ Prevalence Index is ≤3.0[1]
____ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
____ Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:

Exhibit J

SOIL

Sampling Point: SP-4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-12	10YR 2/1	99	7.5YR 4/4	1	C	M	Loamy/Clayey	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

This area was ponded during an April 2024 site visit.

Exhibit J

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-5
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): concave Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9837067 Long: -121.9757287 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No ____
Hydric Soil Present? Yes X No ____
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? **Yes** X **No** ____

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____ =Total Cover		
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____ =Total Cover		
Herb Stratum (Plot size: 1 m)			
1. *Lolium perenne*	60	Yes	FAC
2. *Cyperus eragrostis*	15	No	FACW
3. *Mentha pulegium*	15	No	OBL
4.			
5.			
6.			
7.			
8.			
	90 =Total Cover		
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____ =Total Cover		

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)

Prevalence Index = B/A = ____

Hydrophytic Vegetation Indicators:

X Dominance Test is >50%
____ Prevalence Index is ≤3.0[1]
____ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No** ____

Remarks:

Exhibit J

SOIL

Sampling Point: SP-5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-12	10YR 4/2	98	10YR 4/6	2	C	M	Sandy	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- X Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: ___

Depth (inches): ___

Hydric Soil Present? **Yes** X **No** ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- X Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-6
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): convex Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9837126 Long: -121.9757164 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____	=Total Cover	
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____	=Total Cover	
Herb Stratum (Plot size: 1 m)			
1. *Avena barbata*	30	Yes	UPL
2. *Verbena bonariensis*	40	Yes	FACU
3. *Cynodon dactylon*	15	No	FACU
4.			
5.			
6.			
7.			
8.			
	85	=Total Cover	
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____	=Total Cover	

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	55	x 4 =	220
UPL species	30	x 5 =	150
Column Totals:	85 (A)		370 (B)
Prevalence Index = B/A =			4.35

Hydrophytic Vegetation Indicators:
____ Dominance Test is >50%
____ Prevalence Index is ≤3.0[1]
____ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
____ Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:

Exhibit J

SOIL

Sampling Point: SP-6

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-1	10YR 2/2	100					Loamy/Clayey	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

This area was ponded during an April 2024 site visit.

Exhibit J

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-7
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): concave Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9831332 Long: -121.9760169 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____	=Total Cover	
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____	=Total Cover	
Herb Stratum (Plot size: 1 m)			
1. *Lolium perenne*	80	Yes	FAC
2. *Rubus armeniacus*	5	No	FACU
3. *Cyperus eragrostis*	2	No	FACW
4.			
5.			
6.			
7.			
8.			
	87	=Total Cover	
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____	=Total Cover	

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)

Prevalence Index = B/A = ____

Hydrophytic Vegetation Indicators:
X Dominance Test is >50%
___ Prevalence Index is ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:

Exhibit J

SOIL

Sampling Point: SP-7

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-12	10YR 2/1	100					Loamy/Clayey	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

This area was ponded during an April 2024 site visit.

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-8
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): concave Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9842809 Long: -121.9764301 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No ____
Hydric Soil Present? Yes X No ____
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? **Yes** X **No** ____

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	____	=Total Cover	
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____	=Total Cover	
Herb Stratum (Plot size: 1 m)			
1. *Cyperus eragrostis*	80	Yes	FACW
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	80	=Total Cover	
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____	=Total Cover	

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)

Prevalence Index = B/A = ____

Hydrophytic Vegetation Indicators:
X Dominance Test is >50%
____ Prevalence Index is ≤3.0[1]
____ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No** ____

Remarks:

Exhibit J

SOIL

Sampling Point: SP-8

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-12	10YR 2/1	95	10YR 4/6	5	C	M	Loamy/Clayey	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- X Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? Yes ___ No ___ Depth (inches): ___

(includes capillary fringe)

Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

This area was ponded during an April 2024 site visit.

Exhibit J

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 5940 Soquel Avenue City/County: Santa Cruz County Sampling Date: 10/8/2024
Applicant/Owner: KB Homes State: CA Sampling Point: SP-9
Investigator(s): Naomi Schowalter, Shea Grady Section, Township, Range: Sec. 9, T11S, R1W
Landform (hillside, terrace, etc.): terrace Local relief (concave, convex, none): none Slope (%): ____
Subregion (LRR): LRR C Lat: 36.9842535 Long: -121.9764347 Datum: WGS 84
Soil Map Unit Name: Elkhorn sandy loam, 2 to 9 percent slopes NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation____, Soil____, or Hydrology____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ____
Are Vegetation____, Soil____, or Hydrology____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ____ No X
Hydric Soil Present? Yes ____ No X
Wetland Hydrology Present? Yes ____ No X

Is the Sampled Area within a Wetland? **Yes** ____ **No** X

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 1 m)			
1. *Bromus carinatus*	10	Yes	UPL
2. *Lolium perenne*	15	Yes	FAC
3.			
4.			
5.			
6.			
7.			
8.			
	25 =Total Cover		
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum 75 % Cover of Biotic Crust ____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 50.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	15	x 3 =	45
FACU species	0	x 4 =	0
UPL species	10	x 5 =	50
Column Totals:	25 (A)		95 (B)
Prevalence Index = B/A =			3.80

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%
___ Prevalence Index is ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** ____ **No** X

Remarks:
Mostly covered in gopher mounds.

Exhibit J

SOIL

Sampling Point: SP-9

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-12	10YR 2/1	100	10YR 2/1				Loamy/Clayey	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ___ Depth (inches): ___

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? (includes capillary fringe) Yes ___ No ___ Depth (inches): ___

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
This area was ponded during an April 2024 site visit.

Exhibit J

Appendix C. Representative Site Photographs

Exhibit J



W-4 and southwest corner of Study Area, facing southwest (April 4, 2024)



Eastern extent of W-4, facing southeast (April 4, 2024)

Exhibit J



Ditch near SP-7, facing east (April 4, 2024)

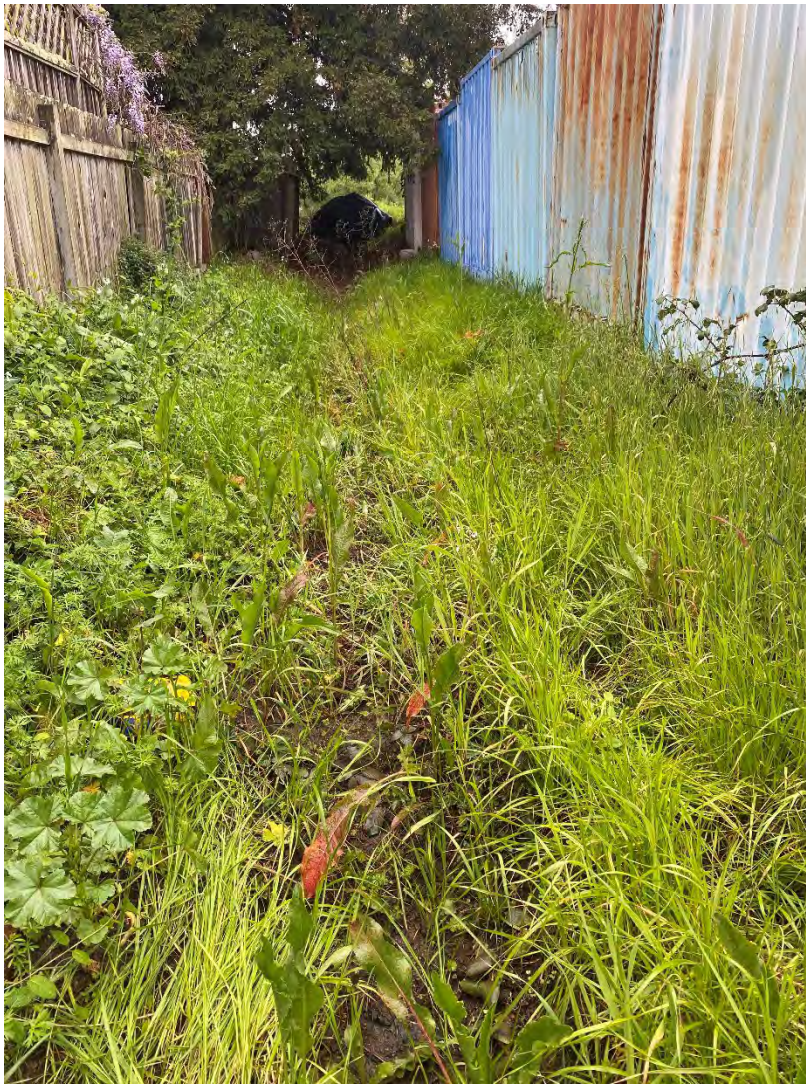


Center of Study Area, facing south (April 4, 2024)

Exhibit J



Eastern end of OW-1, facing west (April 4, 2024)



OW-1 near SP-4, facing west (April 4, 2024)

Exhibit J



W-1, facing northeast (April 4, 2024)



W-2, facing west (April 4, 2024)

Exhibit J



C-1 outlet, facing north (April 4, 2024)

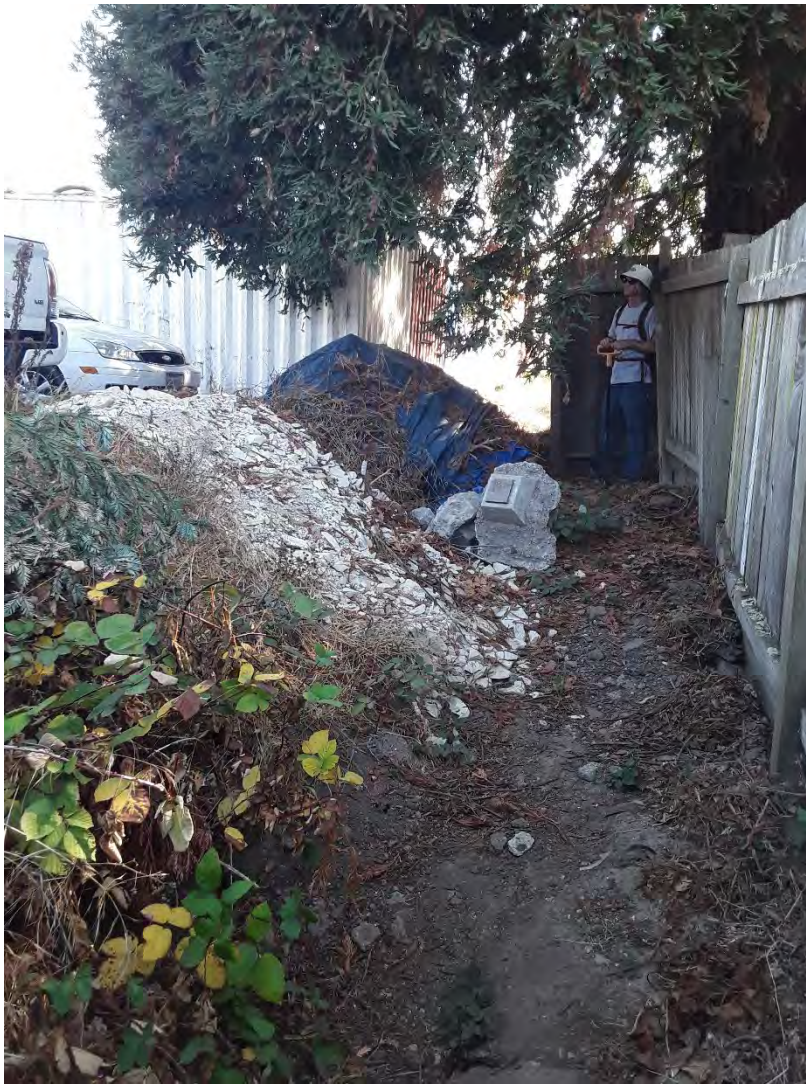


Eastern end of OW-1, facing east (October 8, 2024)

Exhibit J



Eastern end of OW-1, facing west (October 8, 2024)



Western end of OW-1, facing east (October 8, 2024)

Exhibit J



W-4, facing west (October 8, 2024)



W-3, facing northwest (October 8, 2024)

Exhibit J



W-3, facing southeast (October 8, 2024)



Ditch near SP-7, facing west (October 8, 2024)

Exhibit J



Ditch near SP-7, facing east (October 8, 2024)



W-1, facing east from west end of wetland (October 8, 2024)

Exhibit J



W-2, facing east from west end of wetland (38.7090218, -123.4478809)



East end of W-2, facing east; C-1 outlet and C-2 inlet visible (October 8, 2024)

Exhibit J



C-2 inlet; headwall disconnected from pipe (October 8, 2024)

Exhibit J

ARBORIST REPORT

November 12, 2024
6986.00

PROJECT
5940 Soquel Ave.
Santa Cruz, CA

PREPARED FOR
KB Home

PREPARED BY
HMH
1570 Oakland Road
San Jose, CA 95131
William Sowa
ISA Certified Arborist #WE-12270A

Digitally signed by William Sowa
Date: 2024.11.12 16:34:16-08'00'

Exhibit J

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Exhibit J

INTRODUCTION AND OVERVIEW

HMH was contracted to complete a survey, assessment and arborist report for trees located within the limit of work illustrated on Exhibit A. The project site encompasses a parcel totaling approximately 4.99 acres. There are commercial properties to the east and west, Highway 1 to the north and residential properties to the south. The parcel doesn't appear to have any permanent structures. There are numerous storage containers, cars, piles, etc. There were several areas that were fenced off or were blocked by storage items that some of the trees were inaccessible. Our scope of services includes locating, measuring DBH, assessing, and photographing the condition of all trees within the limit of work. Disposition and health recommendations are based on current site conditions. Site development/design may affect the preservation suitability. In addition, trees located outside the limit of work may be included if they may potentially be impacted by development of the site. These trees will not be measured, nor health assessed due to limited access. Tree locations are approximate, and their exact location should be determined by a licensed land surveyor. It should not be assumed that all trees inventoried are owned by the property owner. Check city and/or county codes for regulations regarding trees in the public right of way, setbacks, and/or easements.

METHODOLOGY

Our tree survey work is a deliberate and systematic methodology for cataloging trees on site:

1. Identify each tree species.
2. Note each tree's location on a site map.
3. Measure each trunk circumference at 4.5' above grade per ISA standards.
4. Evaluate the health and structure of each tree using the following numerical standard:

   5 *- A healthy, vigorous tree, reasonably free of disease, with good structure and form typical of the species.*

   4 *- A tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.*

   3 *- A tree with moderate vigor, moderate twig and small branch dieback, thinning of crown, poor leaf color, moderate structural defects that may be mitigated with care.*

   2 *- A tree in decline, epicormic growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.*

   1 *- A tree in severe decline, dieback of scaffold branches and or trunk, mostly epicormic growth; extensive structural defects that cannot be abated.*

   0 - Tree is dead.

SUMMARY OF FINDINGS

HMH conducted a tree inventory of 9 trees located within the limit of work outlined in Exhibit A. Three (3) of the trees inventoried are classified as significant-sized trees under the county of Santa Cruz municipal code. There were three trees that were inaccessible so there is a possibility one or more of those trees are significant.

A significant-size tree is:

(A) Within the urban services line or rural services line, any tree which is equal to or greater than 20 inches d.b.h. (approximately five feet in circumference); any sprout clump of five or more stems each of which is greater than 12 inches d.b.h. (approximately three feet in circumference); or any group consisting of five or more trees on one parcel, each of which is greater than 12 inches d.b.h. (approximately three feet in circumference).

Exhibit J

(B) Outside the urban services line or rural services line, where visible from a scenic road, any beach, or within a designated scenic resource area, any tree which is equal to or greater than 40 inches d.b.h. (approximately 10 feet in circumference); any sprout clump of five or more stems, each of which is greater than 20 inches d.b.h. (approximately five feet in circumference); or, any group consisting of 10 or more trees on one parcel, each greater than 20 inches d.b.h. (approximately five feet in circumference).

(C) Any tree located in a sensitive habitat as defined in Chapter 16.32 SCCC. Also see SCCC 16.34.090(C), exemption of projects with other permits.

Table 1 - Tree Quantity Summary summarizes tree quantities by both species and size. Each species that was inventoried as part of this scope is included. This is a useful tool for analyzing the mixture of trees as part of the project. The size table is useful when calculating mitigation requirements in the case of tree removal as well as aiding in determining tree maturity.

Table 2 - Tree Evaluation Summary lists each tree number, botanical name, common name, DBH, circumference, ordinance trees, health rating, preservation suitability, general notes and observations and recommendations.

See Exhibit A for Existing Tree Locations
See Table 1 for Tree Quantity Summary by species and size.
See Table 2 for Tree Evaluation Summary for sizes, notes and recommendations regarding each tree.

GENERAL OBSERVATIONS AND RECOMMENDATIONS

The onsite trees are not growing in an ideal environment. Most of the trees haven't been irrigated and are not being maintained well. Most of them are crowded next to fences and have heavy items or storage containers in their critical root zone, which is very harmful to the tree and its structural integrity.

Species: *Acacia dealbata* (Silver Wattle)
Quantity: 2
Tree Numbers: 1-2
Observations / Recommendations:
There are two silver wattles on site. Tree 1 is a very large specimen. It is in moderate shape and health. It has a fair amount of sap sucker damage and it is crowded by a fence and storage items. Tree 2 is in fairly poor shape and health. It is growing under tree 1 and the growth has been suppressed because of this. It is growing through the fence and has structural defects. Neither of the trees appear to have been irrigated or maintained. Silver wattle is categorized as an invasive species by the California Invasive Plant Council. These trees are recommended for removal.

Species: *Acacia melanoxylon* (Blackwood Acacia)
Quantity: 1
Tree Numbers: 7
Observations / Recommendations:

Exhibit J

There is one blackwood acacia that is in moderate shape and health. Blackwood acacia is categorized as an invasive species by the California Invasive Plant Council. This tree is recommended for removal.

Species: *Acer rubrum* (Red Maple)
Quantity: 1
Tree Numbers: 3
Observations / Recommendations:
There is a red maple that is in moderate shape and condition. It has some branch die back and is growing next to a fence with storage items. The tree is growing on a small mound braced by stones. The grading surrounding a tree must be maintained if the tree is to be retained. This tree is not an exceptional specimen and is a candidate for removal.

Species: *Eucalyptus camaldulensis* (Red River Gum)
Quantity: 2
Tree Numbers: 4-5
Observations / Recommendations:
There are two red river gums that are very close to the property line, with tree 5 possibly being on the neighboring property. Before any action is taken on these trees, their exact location should be determined. They are in moderate shape and health. Red river gum is categorized as an invasive species by the California Invasive Plant Council. These trees are recommended for removal.

Species: *Fraxinus angustifolia 'Raywood'* (Raywood Ash)
Quantity: 2
Tree Numbers: 8-9
Observations / Recommendations:
The area these two Raywood ashes are growing was inaccessible, so we do not have the trunk measurements for these trees. They don't appear to be significant-sized trees. They appear to be in moderate shape and health. Tree 8 has branch die back and both appear to have signs of stress.

Species: *Quercus agrifolia* (Coast Live Oak)
Quantity: 1
Tree Numbers: 6
Observations / Recommendations:
The Coast Live Oak was in an area that was inaccessible. It appears to be a large specimen, possibly significant-size. It is difficult to assess the health of the tree without observing it more closely. There are storage containers and many large items very close to the tree and in the critical root zone which is very harmful to the tree and its structural integrity. When everything is removed from the root zone, the tree may be at risk of failure because of the damage to the root system.

Offsite Trees:

The general recommendation for all offsite trees is to follow tree protection measures for the area overhanging the property by fencing the root zone beneath the canopy. If any pruning is necessary, communicate with the property owner before any action is taken. It is never recommended to prune branches on only one side of the tree. The pruning should be kept below 20 percent of the total living crown and balanced on all sides of the tree. Any pruning

Exhibit J

should be done by a certified tree company with an arborist. Follow guidelines in the Recommendations for Tree Protection During Construction section.

Offsite Tree 1 (OS 1), a Coast Redwood, is a very large specimen that is overhanging the property by approximately 28'. Offsite Tree 2 (OS 2), a London Plane tree is overhanging the property by approximately 20'. There are many other trees on the west side of the property that are overhanging the property by approximately 20' or less. Offsite Trees 3 and 4 (OS3 and OS4) are in the frontage and overhang the property by approximately 5' and 20', respectively. They may also be considered street trees.

Exhibit J

RECOMMENDATIONS FOR TREE PROTECTION DURING CONSTRUCTION

Site preparation: All existing trees shall be fenced within or at the drip line (foliar spread) of the tree. Depending on the location of the tree the fencing may not be able to be at the dripline. Examples of this would be public right of way, near property lines or around existing structures to remain. Where complete drip line fencing is not possible, the addition of straw waddles and orange snow fencing wrapping the trunk shall be installed per the tree protection detail. The fence should be a minimum of six feet high, made of galvanized 11-gauge wire mesh with galvanized posts or any material superior in quality. A tree protection zone (TPZ) sign shall be affixed to fencing at appropriate intervals as determined by the arborist on site. If the fence is within the drip line of the trees, the foliar fringe shall be raised to offset the chance of limb damage from active construction.

Active Construction: All contractors, subcontractors and other personnel shall be warned that encroachment within the fenced area and dripline is prohibited without the consent of the certified arborist on the job. This includes, but is not limited to, storage of lumber and other materials, disposal of paints, solvents or other noxious materials, parked cars, grading equipment or other heavy equipment. If construction activity needs to happen in the TPZ the fence can be moved temporarily for delivery of construction materials. The contractor should make accommodations to off load items such as trusses, timber, plasterboard, wallboard, concrete, gypsum board, flooring, roofing or any other heavy construction material outside the foliar spread of the tree so there is no heavy equipment needed that could cause damage to the canopy of the tree or compact the root zone. The tree protection fencing should be reestablished per the plans and details immediately after any activity through the TPZ. Penalties, based on the cost of remedial repairs and the evaluation guide published by the International Society of Arboriculture, shall be assessed for damages to the trees.

Grading/excavating: All grading plans that specify grading within the drip line of any tree, or within the distance from the trunk as outlined in the site preparation section above when said distance is outside the drip line, shall first be reviewed by a certified arborist. Provisions for aeration, drainage, pruning, tunneling beneath roots, root pruning or other necessary actions to protect the trees shall be outlined by an arborist. If trenching is necessary within the area as described above, said trenching shall be undertaken by hand labor and dug directly beneath the trunk of the tree. All roots 2 inches or larger shall be tunneled under and other roots shall be cut smoothly to the trunk side of the trench. The trunk side should be draped immediately with two layers of untreated burlap to a depth of 3 feet from the surface. The burlap shall be soaked nightly and left in place until the trench is back filled to the original level. An arborist shall examine the trench prior to back filling to ascertain the number and size of roots cut, so as to suggest the necessary remedial repairs.

Remedial repairs: An arborist shall have the responsibility of observing all ongoing activities that may affect the trees and prescribing necessary remedial work to ensure the health and stability of the trees. This includes, but is not limited to, all arborist activities brought out in the previous sections. In addition, pruning, as outlined in International Society of Arboriculture Best Management Practices: Pruning and ANSI A300 Part 1 Standard Practices: Pruning, shall be prescribed as necessary. Fertilizing, aeration, irrigation, pest control and other activities shall be prescribed according to the tree needs, local site requirements, and state agricultural pest control laws. All specifications shall be in writing. For pest control operations, consult the local county agricultural commissioner's office for individuals licensed as pest control advisors or pest control operators.

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Final inspection: Upon completion of the project, the arborist shall review all work undertaken that may impact the existing trees. Special attention shall be given to cuts and fills, compacting, drainage, pruning and future remedial work. An arborist should submit a final report in writing outlining the ongoing remedial care following the final inspection.

MAINTENANCE RECOMMENDATIONS FOR TREES TO REMAIN

Regular maintenance, designed to promote plant health and vigor, ensures longevity of existing trees. Regular inspections and the necessary follow-up care of mulching, fertilizing, and pruning, can detect problems and correct them before they become damaging or fatal.

Tree Inspection: Regular inspections of mature trees at least once a year can prevent or reduce the severity of future disease, insect, and environmental problems. During tree inspection, four characteristics of tree vigor should be examined: new leaves or buds, leaf size, twig growth, and absence of crown dieback (gradual death of the upper part of the tree). A reduction in the extension of shoots (new growing parts), such as buds or new leaves, is a fairly reliable cue that the tree's health has recently changed. Growth of the shoots over the past three years may be compared to determine whether there is a reduction in the tree's typical growth pattern. Further signs of poor tree health are trunk decay, crown dieback, or both. These symptoms often indicate problems that began several years before. Loose bark or deformed growths, such as trunk conks (mushrooms), are common signs of stem decay. Any abnormalities found during these inspections, including insect activity and spotted, deformed, discolored, or dead leaves and twigs, should be noted and observed closely.

Mulching: Mulch, or decomposed organic material, placed over the root zone of a tree reduces environmental stress by providing a root environment that is cooler and contains more moisture than the surrounding soil. Mulch can also prevent mechanical damage by keeping machines such as lawn mowers and string trimmers away from the tree's base. Furthermore, mulch reduces competition from surrounding weeds and turf. To be most effective, mulch should be placed 2 to 4 inches deep and cover the entire root system, which may be as far as 2 or 3 times the diameter of the branch spread of the tree. If the area and activities happening around the tree do not permit the entire area to be mulched, it is recommended that as much of the area under the drip line of the tree is mulched as possible. When placing mulch, care should be taken not to cover the actual trunk of the tree. This mulch-free area, 1 to 2 inches wide at the base, is sufficient to avoid moist bark conditions and prevent trunk decay. An organic mulch layer 2 to 4 inches deep of loosely packed shredded leaves, pine straw, peat moss, or composted wood chips is adequate. Plastic should not be used as it interferes with the exchange of gases between soil and air, which inhibits root growth. Thicker mulch layers, 5 to 6 inches deep or greater, may also inhibit gas exchange.

Fertilization: Trees require certain nutrients (essential elements) to function and grow. Urban landscape trees may be growing in soils that do not contain sufficient available nutrients for satisfactory growth and development. In certain situations, it may be necessary to fertilize to improve plant vigor. Fertilizing a tree can improve growth; however, if fertilizer is not applied wisely, it may not benefit the tree at all and may even adversely affect the tree. Mature trees making satisfactory growth may not require fertilization. When considering supplemental fertilizer, it is important to consider nutrients deficiencies and how and when to amend the deficiencies. Soil conditions, especially pH and organic matter content, vary greatly, making the proper selection and use of fertilizer a somewhat complex process. To that end, it is recommended that the soil be tested for nutrient content. A soil testing laboratory and can give advice on application rates, timing, and the best blend of fertilizer for each tree and other landscape plants on site. Mature trees have expansive root systems that extend from 2 to 3 times the size of the leaf

Exhibit J

canopy. A major portion of actively growing roots is located outside the tree's drip line. Understanding the actual size and extent of a tree's root system before applying fertilizer is paramount to determine quantity, type and rate at which to best apply fertilizer. Always follow manufacturer recommendations for use and application.

Pruning: Pruning is often desirable or necessary to remove dead, diseased, or insect-infested branches and to improve tree structure, enhance vigor, or maintain safety. Because each cut has the potential to change the growth of (or cause damage to) a tree, no branch should be removed without reason. Removing foliage from a tree has two distinct effects on growth: (1) it reduces photosynthesis and, (2) it may reduce overall growth. Pruning should always be performed sparingly. Caution must be taken not to over-prune as a tree may not be able to gather and process enough sunlight to survive. Pruning mature trees may require special equipment, training, and experience. Licensed and insured tree maintenance companies are equipped to provide a variety of services to assist in performing the job safely and reducing risk of personal injury and property damage and should be consulted for this type of work. *(See also ANSI A300 Part 1 Pruning Standards- https://www.tcia.org).*

Planting and Irrigation: Any new planting and irrigation that is to occur under the drip line of an existing tree should be conducted with care to avoid the root system. Generally installation of an irrigation mainline should be avoided under the dripline of the existing tree. Refer to the Grading/Excavating section for installation of any irrigation lines to be installed under the drip line of an existing tree. Any new planting should match the water use of the existing tree (as defined by WUCOLS). The irrigation hydro zone for the new planting should also match the requirements of the existing tree.

Removal: There are circumstances when removal is necessary. An arborist can help decide whether or not a tree should be removed. Professionally trained arborists have the skills and equipment to safely and efficiently remove trees. Removal is recommended when a tree: (1) is dead, dying, or considered irreparably hazardous; (2) is causing an obstruction or is crowding and causing harm to other trees and the situation is impossible to correct through pruning; (3) is to be replaced by a more suitable specimen, and; (4) should be removed to allow for construction. Pruning or removing trees, especially large trees, can be dangerous work. It should be performed only by those trained and equipped to work safely in trees.

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TERMS AND CONDITIONS

The following terms and conditions apply to all oral and written reports and correspondence pertaining to consultations, inspections and activities of HMH.

1. The scope of any report or other correspondence is limited to the trees and conditions specifically mentioned in those reports and correspondence. HMH assumes no liability for the failure of trees or parts of trees, either inspected or otherwise. HMH assumes no responsibility to report on the condition of any tree or landscape feature not specifically requested by the named client.
2. No tree described in this report was climbed, unless otherwise stated. HMH does not take responsibility for any defects, which could have only been discovered by climbing. A full root collar inspection, consisting of excavating the soil around the tree to uncover the root collar and major buttress roots was not performed unless otherwise stated. HMH does not take responsibility for any root defects, which could only have been discovered by such an inspection.
3. HMH shall not be required to provide further documentation, give testimony, be deposed, or attend court by reason of this appraisal or report unless subsequent contractual arrangements are made, including payment of additional fees for such services as described by HMH or in the schedule of fees or contract.
4. HMH guarantees no warrantee, either expressed or implied, as to the suitability of the information contained in the reports for any reason. It is the responsibility of the client to determine applicability to his/her case.
5. Any report and the values, observations and recommendations expressed therein represent the professional opinion of HMH, and the fee for services is in no manner contingent upon the reporting of a specified value nor upon any particular finding to be reported.
6. Any photographs, diagrams, graphs, sketches or other graphic material included in any report, being intended solely as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys, unless otherwise noted in the report. Any reproductions of graphic material or the work produced by other persons, is intended solely for clarification and ease of reference. Inclusion of said information does not constitute a representation by HMH as to the sufficiency or accuracy of that information.
7. Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.

Exhibit J

Existing Tree Map
Exhibit A

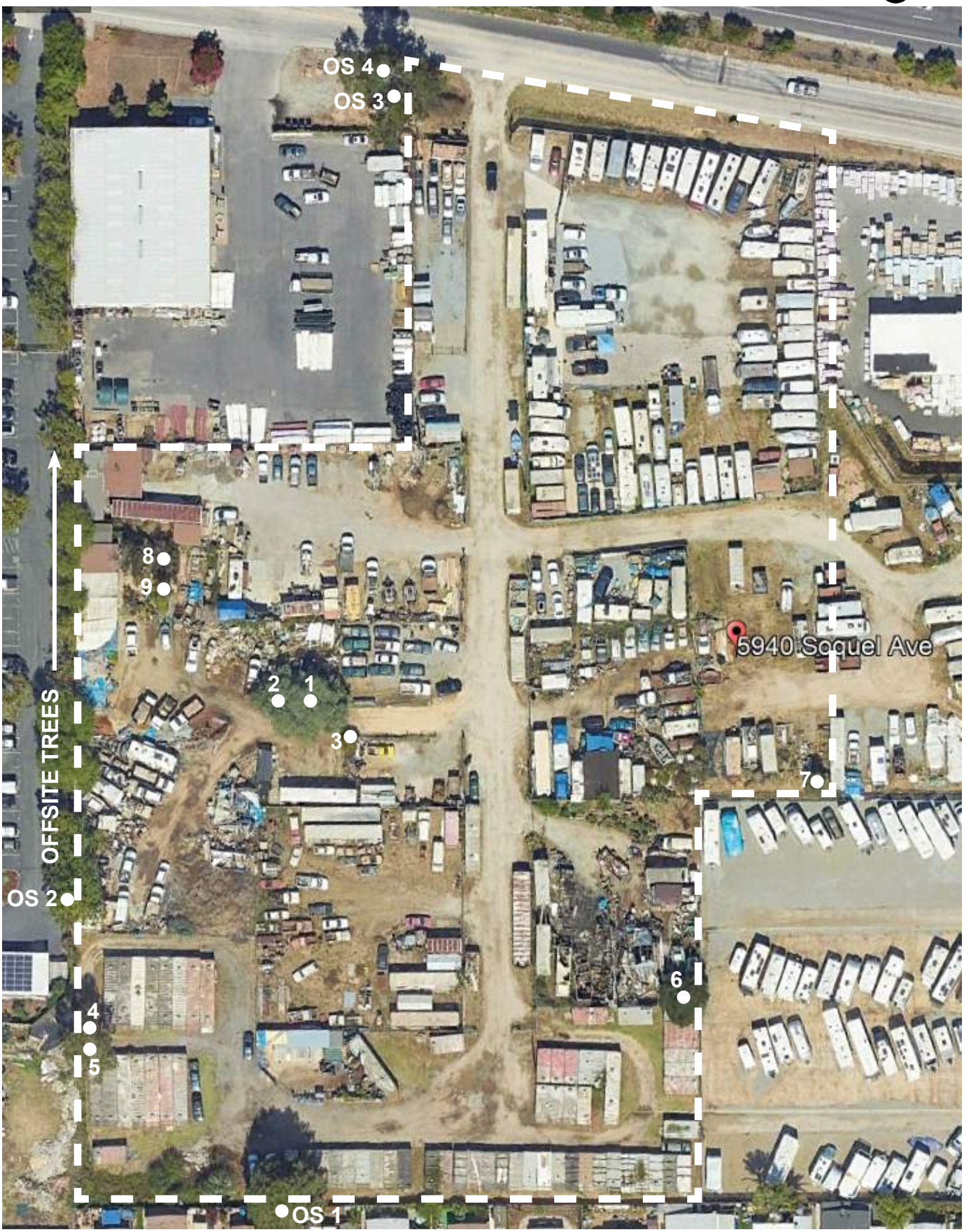


Exhibit J

TABLE 1 - TREE QUANTITY SUMMARY

Tree Quantity by Species		
Species	**Quantity**	**% of Site**
Acacia dealbata	2	22%
Acacia melanoxylon	1	11%
Acer rubrum	1	11%
Eucalyptus camaldulensis	2	22%
Fraxinus angustifolia 'Raywood'	2	22%
Quercus agrifolia	1	11%
Total Trees	**9**	**100%**

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TABLE 2 - TREE EVALUATION SUMMARY

Prepared By: William Sowa ISA Certified Arborist WE-12270A

DBH MEASUREMENT HEIGHT: 54"

Date of Evaluation: 11/7/2024

Suitability for Preservation is based on the following
Good - Trees with good health and structural stability that have the potential for longevity at the site.
Moderate - Trees in somewhat declining health and/or exhibits structural defects that cannot be abated with treatment. Trees will require more intense management and will have a shorter lifespan than those in the 'Good' category.
Poor - Trees in poor health or with significant structural defects that cannot be mitigated. Tree is expected to decline, regardless of treatment.

Health Rating	
5	A healthy, vigorous tree, reasonably free of disease, with good structure and form typical of the species.
4	A tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.
3	A tree with moderate vigor, moderate twig and small branch dieback, thinning of crown, poor leaf color, moderate structural defects that may that might be mitigated with care.
2	A tree in decline, epicormic growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.
1	A tree in severe decline, dieback of scaffold branches and or trunk, mostly epicormic growth; extensive structural defects that cannot be abated.
0	Tree is dead.

Abbreviations and Definitions		
BDB	Branch dieback	Condition where branch tips or entire sections of branches die off. Typically indicative of tree stress.
CD	Codominant branches	Forked branches nearly the same size in diameter, arising from a common junction an lacking a normal branch union.
CDB	Dieback in Crown	Condition where branches in the tree crown die from the tips toward the center.
CR	Crowded	Tree is bounded closely by one or more of the following: structure, tree, Etc.
D	Decline	Tree shows obvious signs of decline, which may be indicative of the presence of multiple biotic and abiotic disorders.
DBH	Diameter at Breast Height	Measurement of tree diameter in inches. Measurement height varies by City and is noted above.
EG	Epicormic Growth	Watersprouting on trunk and main leaders or suckers, sprouts arising out of roots.Typically indicative of tree stress.
EH	Exposed Heartwood	Exposure of the tree's heartwood is typically seen as an open wound that leaves a tree more susceptible to pathogens, disease or infection.
GR	Girdling Roots	Roots that grow around or across other roots. Can cause restriction of nutrient and water uptake, swelling, dieback or structural instability.
H	Hazardous	A tree that in it's current condition, presents a hazard.
HD	Headed	Poor pruning practice of cutting back branches. Often practiced under utility lines to limit tree height.
IB	Included Bark	Structural defect where bark is included between the branch attachment so the wood can't join. Such defect can have a higher probability of failure.
LN	Leaning Tree	Tree leaning, see notes for severity.
MT	Multi Trunk	Multiple central leaders originating below the DBH measurement.
PT	Phototropism	Tree exhibits phototropic growth habits. Reduced trunk taper, misshapen trunk and canopy growth are examples of this growth habit.
SD	Structural Defects	Naturally or secondary conditions including cavities, poor branch attachments, cracks, or decayed wood in any part of the tree that may contribute to structural failure.
SE	Severe	Indicates the severity of the following term.
SL	Slight	Indicates the mildness of the following term.
SR	Surface Roots	Roots visible at finished grade.
ST	Stress	Environmental factor inhibiting regular tree growth. Includes drought, salty soils, nitrogen and other nutrient deficiencies in the soil.
WU	Weak Union	Weak union or fork in tree branching structure.
	Significant Tree	(A) Within the urban services line or rural services line, any tree which is equal to or greater than 20 inches d.b.h. (approximately five feet in circumference); any sprout clump of five or more stems each of which is greater than 12 inches d.b.h. (approximately three feet in circumference); or any group consisting of five or more trees on one parcel, each of which is greater than 12 inches d.b.h. (approximately three feet in circumference). (B) Outside the urban services line or rural services line, where visible from a scenic road, any beach, or within a designated scenic resource area, any tree which is equal to or greater than 40 inches d.b.h. (approximately 10 feet in circumference); any sprout clump of five or more stems, each of which is greater than 20 inches d.b.h. (approximately five feet in circumference); or, any group consisting of 10 or more trees on one parcel, each greater than 20 inches d.b.h. (approximately five feet in circumference). (C) Any tree located in a sensitive habitat as defined in Chapter 16.32 SCCC. Also see SCCC 16.34.090(C), exemption of projects with other permits.

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TREE #	BOTANICAL NAME	COMMON NAME	DBH (INCHES)	CIRCUMF-ERENCE (INCHES)	SIGNIFICANT TREE	CANOPY (APX FEET)	HEIGHT (APX FEET)	HEALTH	PRESERVATION SUITABILITY	NOTES
1	*Acacia dealbata*	Silver Wattle	20.0	63	YES	40	35	3	Poor	CR fence & storage items, SD, sap sucker damage, invasive
2	*Acacia dealbata*	Silver Wattle	8.2, 9.3, 5.3	72	YES	25	30	2	Poor	CR fence, storage items, & tree #1, SD, ST, growing under tree #1, invasive
3	*Acer rubrum*	Red Maple	5.0	16	NO	12	15	3	Moderate	BDB, grown on mound, CR fence & storage items
4	*Eucalyptus camaldulensis*	River Red Gum	10.7	34	NO	18	40	3	Poor	ST, invasive
5	*Eucalyptus camaldulensis*	River Red Gum	19, 11	94	YES	35	55	3	Poor	ST, possibly offsite, CR fence & shed, invasive
6	*Quercus agrifolia*	Coast Live Oak	not accessible			28	40	3	Moderate	untagged, unable to get near tree
7	*Acacia melanoxylon*	Blackwood Acacia	9.0	28	NO	18	40	3	Moderate	invasive
8	*Fraxinus angustifolia 'Raywood'*	Raywood Ash	not accessible			30	35	3	Moderate	untagged, unable to get near tree, ST, BDB
9	*Fraxinus angustifolia 'Raywood'*	Raywood Ash	not accessible			20	40	3	Moderate	untagged, unable to get near tree, ST

OFF SITE TREES

OS 1	*Sequoia sempervirens*	Coast Redwood					70			Overhangs property apx. 28'
OS 2	*Platanus x hispanica*	London Plane					40			Overhangs property apx. 20'
OS 3	*Pinus radiata*	Monterey Pine	37.7	118	YES		70			Overhangs property apx. 5'
OS 4	*Pinus radiata*	Monterey Pine	41.1	129	YES		65			Overhangs property apx. 20'

Exhibit J













Exhibit J





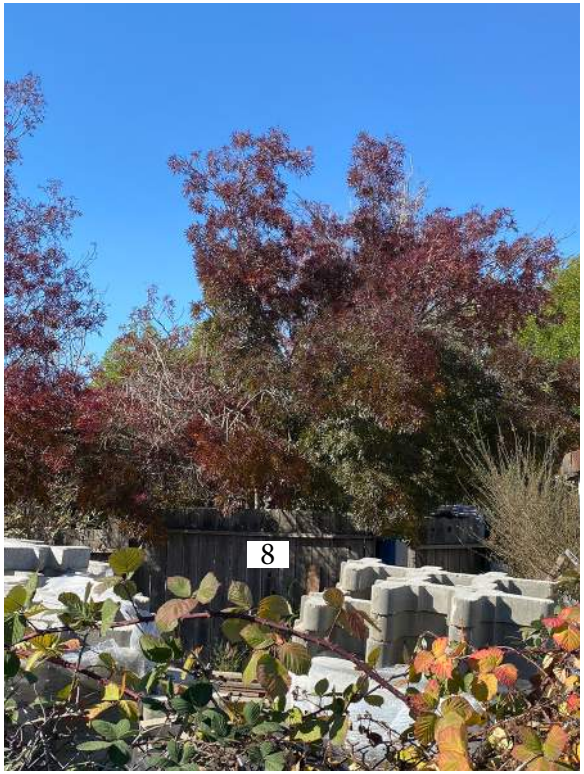








Exhibit J



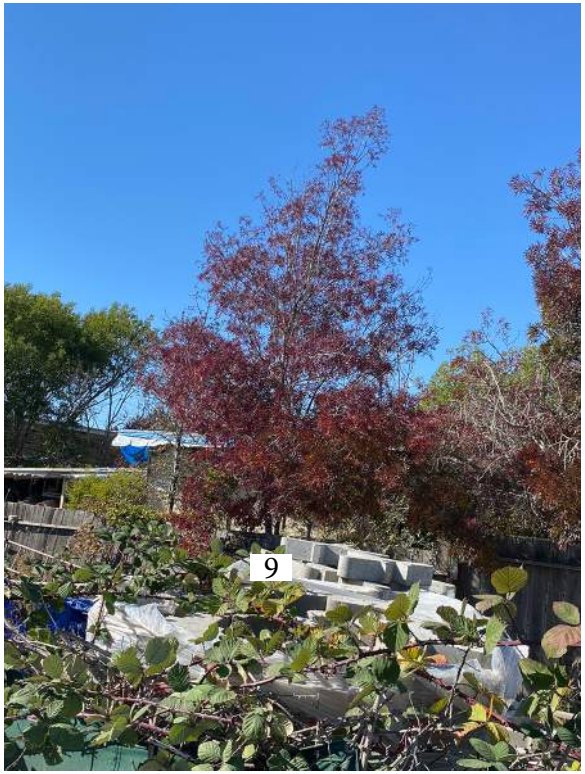


Exhibit J

OFF SITE TREES



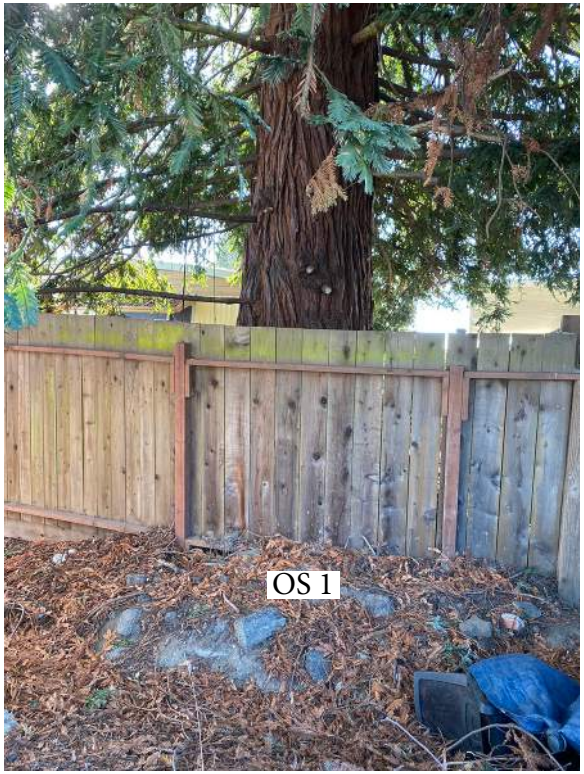




Exhibit J

Brief Annotated Background on Regional Housing Need Combining District and Prior 40% Inclusionary Requirement in SCCC 17.10

The 40% affordability (inclusionary) requirement was based on an interim ordinance originally enacted by the Board in 2004, and later amended, which imposed a 40% inclusionary requirement on properties in nonresidential zones that were rezoned to residential zones. The 40% total consisted of the standard 15% inclusionary requirement applicable to all major residential developments, which came from the "Measure J" ballot measure passed in 1978, plus an additional 25% "enhanced" inclusionary requirement that would only apply to properties in non-residential zones (commercial, industrial, etc.) that were proposed for rezoning into a residential zone. That enhanced inclusionary requirement for non-residential property was later incorporated into a new Affordable Housing Combining District (later renamed the Regional Housing Need Combining District) policy developed in 2005, as part of an effort underway at that time to gain state certification of the County's 2000 – 2007 Housing Element. That 40% requirement was deemed feasible by the County at the time under several rationales, including that the County's then existing Redevelopment Agency (RDA) committed to offer developers of these sites $15 million in RDA housing funds to assist development of housing consistent with the combining district requirements[1], in addition to priority processing and pre-approval for the density of 20 units an acre, which at the time was considered a feasible density for lower-income housing developments, and an increase over the then-existing maximum residential density allowed by the General Plan, in the Urban High (R-UH) land use designation, which at that time was 17.4 units an acre.

Today, the R-UH designation allows up to 30 units an acre, and there is a new higher density designation of Urban High Flex, which allows up to 45 units/acre. The table below provides excerpts from prior County Housing Elements and related materials briefly outlining the history of the R-Combining District, as well as the creation of, and approximately 10 years later, the elimination of the 25% enhanced inclusionary policy, through various Board actions between 2004 and 2018.

[1] April 2005 Letter from HCD to County referencing commitment of $15 million in RDA funds, excerpted below.

Exhibit K

SOURCE	EXCERPTS
Affordable Housing/R-Combining District	
June 22, 2004 Interim Ordinance, creating initial 40% requirement	Attachment 1 0600 **ORDINANCE No.** *4764* AN ORDINANCE OF THE COUNTY OF SANTA CRUZ ADOPTING INTERIM ZONING REGULATIONS REGARDING THE CONVERSION OF NON RESIDENTIAL LAND TO RESIDENTIAL LAND 5. Non-residential to residential rezoning and/or General Plan amendment. Non-residential parcels which as a result of a rezoning and/or General Plan Amendment are rezoned or designated as residential shall be required to provide forty (40) percent of the total number of units as affordable in accordance with 13.10.215 (a) (1). A minimum of one half of the affordable units shall be affordable to low income households. All affordable units must be constructed on-site. If the calculation of the affordable housing obligation under Section 17.10.030(b) results in any fractional obligation above a whole unit, the project developer shall contribute funds equivalent to the fractional amount to the Measure J Trust Fund as provided in Section 17.10.034. No alternative options for satisfying the affordable requirement is allowed.
June 2005 Draft Housing Element	EXCERPT FROM JUNE 2005 DRAFT HOUSING ELEMENT, SECTION 4.6: **h. Affordable Housing Combining District** The Board of Supervisors adopted an ordinance on June 22, 2004 which applies to rezonings of land from non-residential zoning to residential zoning. This ordinance requires that 40% of the residential units proposed and developed as a result of such rezoning be affordable (20% to low income households). This ordinance was approved by a 5-0 vote. In expanding on this concept, a combining district will be created to address the short fall of units in the very low and low income categories. Densities for the parcels designated under the Combining District will be 20 units per acre. The number of units for each designated site will be determined based on multiplying 20 units times the number of developable acres on the site. Therefore, under the combining district, the use and density shall be allowed by right. However, the County will continue to apply Design Review, Subdivision Map Act and CEQA review as required by law to development proposals on these sites. These projects will be subject to public hearing within the confines of those regulatory limitations. With the exception of

Exhibit K

SOURCE	EXCERPTS

unmitigatable environmental impacts identified through the CEQA process, development under the Combining District policies will not be allowed lower than the designated number of units for each site.

As a further incentive to development under the overlay, the Redevelopment Agency will commit $15 million in Redevelopment Agency Low and Moderate Income Housing Fund resources to be allocated to assist such projects. This funding will be available even before the Combining District is in place to ensure the availability of funds for site acquisition. The funding will be distributed by the Redevelopment Agency Board of Directors based on adopted criteria (see below) and consistent with the Agency's Five Year Implementation Plan which was approved in December 2004. The Redevelopment Agency has a well established history of working with developers to create quality affordable housing projects throughout the County. The Combining District provides a further avenue for the Redevelopment Agency to assist in the production of affordable housing developments which benefit the community.

As past history shows, the $15 million in Redevelopment Agency funds is more than sufficient to assist in the development of the 440 low and very low income units necessary to meet the regional housing need. Since 1989, the Redevelopment Agency has used $22 million to assist 1,141 units. This represents an average subsidy of approximately $20,000 per unit. However, increasing land costs have driven the cost of development upward such that the subsidy for the recently completed Corrolitos Creek project resulted in a subsidy of $32,000 per unit. The $15 million in Redevelopment Agency funding would result in an average subsidy of $34,000 per unit for the 440 units to be constructed under the Combining District. This subsidy is designed to keep up with rising land and construction costs. In the event that funding is inadequate to adequately assist development under the Combining District, further augmentation from the Agency will be requested. Therefore, there are substantial financial incentives for developers under the Combining District.Development under the Combining District will be an attractive option for developers because the density level is certain. The Combining District focuses the decisionmaker on design and CEQA issues, and not density. The reliability of density at 20 units to the acre under the Combining District is an incentive to developers.

The 40% affordable requirement will not be a deterrent to development under the Combining District because the reliability of the density would outweigh the affordability component. The reliability of the density under the Combining District, through reducing uncertainty, outweighs the burden of integrating the 40% affordable requirement. Additionally, developers will be able to seek funding assistance from the Redevelopment Agency to offset at least a portion of the financial burden.

Exhibit K

SOURCE	EXCERPTS
May 2005 Planning Commission Meeting Materials	https://www2.santacruzcountyca.gov/planning/plnmeetings/PLNSupMaterial/PC/Minutes/2005/20050525/008.pdf EXCERPT FROM APRIL 2005 LETTER FROM HCD TO COUNTY, REVIEWING 2000-2007 HOUSING ELEMENT (ADOPTED BY BOARD IN JANUARY 2005): Affordable Housine (AH) Combining District. According to the element's land inventary, the supply of available and appropriately zoned sites is not sufficient o accommodate the County's regional housing need, particularly for lower-income households (1,439 units). In lieu of identifying sites with appropriate base densities to accommodate the County's share of the regional housing need for lower-income households, the County is proposing to develop an Affordable Housing *(AH)* Combining District designation (and ordinance) and apply it to a list of candidate sites totaling 44 acres (shown in Appendix D). Such a strategy may be appropriate to address a portion of the adequate sites requirements, providing it includes an adequate description and analysis of the AH Combining District, including incentives and implementation steps. Also, as indicated in Section B. of this Appendix, the AH Combining District program actions must be expanded and strengthened. Keep in mind, as a result of recent changes in housing element law, (i.e., Chapter 724, Statutes of 2004 [AB 2348]), at least 50 percent of the targeted 44 acres must have base underlying residential zoning designation. The element must be expanded *to* describe implementing standards of the proposed AHC and demonstrate their appropriateness in encouraging and facilitating the development of housing affordable to lover-income households. It is critical the County demonstrate the proposed incentives are sufficient enough to encourage developers to take advantage of the increased densities (above the underlying zone) and meet the requirement to designate 40 percent of the newly developed units as affotdablc to lower-income households. Also, it is our understanding the County will dedicate $15 million of Redevelopment Agency monies to assist in the development of the candidate AH Combining District sites (Program 1.3). As a result, the element should describe the County's specific role in administering the funds and describe the criteria that developers must meet to be eligible for funding under this program. 15
2009-2015 Housing Element (4th Cycle)	**Excerpt from version adopted by the Board of Supervisors on 1/12/2010**, certified by HCD on 5/5/2010 **p. 4-2 – 4-3:** **RELEVANCE OF A HOUSING ELEMENT – WHAT HAPPENED AS A RESULT OF THE LAST ELEMENT?** In addition to addressing a series of State legal requirements, a housing element can result in tangible changes that affect the context for housing production and housing efforts in the community. While the 2006 Housing Element took years of hearings and negotiations with the State in order to achieve certification, it resulted in a number of significant outcomes. Appendix 4.1-2 provides a comprehensive review of the program goals for that 2006 Element, with key highlights summarized below:

Exhibit K

SOURCE	EXCERPTS
	Rezoning program of six sites (30.5 acres total) for higher density housing to address the needs for housing for lower income residents. These sites will provide development potential for 610 units of new housing in the community over the years, with a high proportion protected with permanently affordability restrictions (for both rental or ownership units). Committing a minimum of $15 million of Redevelopment Agency housing funds to assist in the development of the newly rezoned higher density sites. Modifying the County's inclusionary housing policies to require broader financial contributions from developers to assist in affordable housing activities. **pp. 4-99 – 4-100** (emphasis added): Created in June of 2007, the Regional Housing Need Combining District was established as a condition of certification of the 2006 Housing Element to ensure that Santa Cruz County addressed the needs for adequate zoning to accommodate lower income housing needs. Specifically, this program required the County to rezone a minimum of 30 acres of land for by-right housing at a density of 20 units per acre. This combining district was applied to 6 sites located throughout the urban areas of the County, ultimately resulting in rezoning a total of 30.5 acres of land with a capacity of 610 housing units. All 6 sites are located within the Urban Services Boundary and are served by urban level sewer, water, and drainage infrastructure by their respective sanitation, drainage, and water agencies. It is assumed that these sites would be available to address needs of extremely low, very low, and low-income households for the next planning period. A list of the parcels included in the combining district is shown in Appendix 4.6-4. Under this combining district, a minimum of 40% of the units developed must be deed-restricted with long-term affordability covenants for low, very low, and extremely low-income households. As a part of reaching this goal, incentives such as alternative site development standards similar to those offered under State Density Bonus Law (i.e. increased height and decreased parking standards), significant financial incentives, and priority processing are provided by the County, in addition to the priority these sites must receive under state law from water, and sewer agencies. Most importantly, development of these sites is "by-right" – meaning that the use and density are by-right, with the only discretionary permit for the project being for design purposes. **Appendix p. 4-113:** **Appendix 4.6-4: Sites with a Minimum Density of 20 Units per Acre**

Table 4.6.4: Sites with a minimum density of 20 units per acre

Name of Site	Parcel Number	Developable Acreage	Total Units
Nigh	029-021-47	5.0	100
Erlach	037-101-02, 037-061-66,037-061-04	5.1	102
Poor Clares	042-011-06	4.0	80
Miller	039-471-09	2.0	40
Minto Road	051-511-35	4.4	88
Atkinson	048-211-25, 048-221-09	10.0	200
	TOTAL	**30.5**	**610**

Exhibit K

<table>
<tr><th>SOURCE</th><th>EXCERPTS</th></tr>
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Appendix p. 4-13:

Program No.	Program Description	Status	Discussion
Goal 1. Promote Production of Affordable Units			
1.1	Create Rezoning Program (20 units per acre)	The Board of Supervisors adopted Ordinance Nos. 4878 and 4879 on June 12, 2007. The Coastal Commission certified the Ordinances on October 12, 2007.	This Program is completed. No additional work is needed in the new Housing Element.
1.2	Select and Rezone 20 units per acre sites	The Board of Supervisors selected six candidate sites totaling 30.5 acres and rezoned them beginning in 2008 and completing in June 2009.	This Program is completed. No additional rezoning of sites is needed to meet the current RHNA allocation.
1.2.1	Outreach Programs to promote development on the 20 units per acre sites	Planning Department staff met with each affected property owner to discuss the Rezoning Program; in addition, several meetings were held with interested developers and prospective purchasers.	It is appropriate for the Planning Department to continue to meet with prospective purchasers/developers of the 20-unit per acre sites.
1.2.2	Monitor development on 20 units per acre sites	Staff is monitoring development of the sites. On February 11, 2009, the Board of Supervisors approved Application No. 08-0486 on APN 051-511-35 (Minto Site) for 88 affordable units.	Staff will continue to monitor the status of the sites and report the status to the Board of Supervisors as part of the Annual General Plan Report.
1.3	Allocate funding to support affordable housing on 20 units per acre sites	In June 2005, the Board of Supervisors, acting as the Redevelopment Agency Board of Directors, allocated $15 million within the Lower and Moderate Income Housing Fund.	Staff will monitor the amount of remaining funds in the Lower and Moderate Income Housing Fund and bring appropriate recommendations to the Directors of the Redevelopment Agency, if necessary.

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<tr><td>8/19/2014 Board Meeting</td><td>Meeting Minutes: Item 66</td></tr>
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Exhibit K

SOURCE	EXCERPTS

August 19, 2014

66. CONSIDERED consultant recommendations for modifications to County Affordable Housing Program and Requirements; Board of Supervisors received and discussed presentation by the consultants, and then provided the following direction to staff and the consultants:
(1) draft amendments to Chapters 13.10, 17.10 and 17.12 and to the Affordable Housing Guidelines that reflect the staff and consultant findings and recommendations, as modified by the Housing Advisory Commission and the Board of Supervisors as described herein; and
(2) upon completion of draft amendments, schedule public hearings during Fall 2014 before the Housing Advisory Commission and Planning Commission for developing recommendations to this Board and then return for a public hearing by December 16, 2014, before the Board of Supervisors for consideration of the amendments;
3) with the additional directions that we: a) retain our 15% inclusionary zoning requirements as currently constructed; b) raise the allowable sales price for inclusionary units to 110 % of the area median income c) if the fee alternative is approved, set the impact fee at $15 per square foot; d) remove any onsite inclusionary requirements for rental housing and direct staff to recommend an impact fee and consider a sliding scale for rental units based on size; e) include a $2 per square foot fee for non-residential development; f) develop clear policies on rezonings from commercial to residential; g) set the inclusionary rates for rezoning and the R Combining District sites at 15%; h) assure the density bonus provisions are administered in accordance with State law; i) exclude residential additions and Accessory Dwelling Units from the inclusionary requirements; j) Planning staff to return in December 2014 with the results of the Housing Advisory Commission and Planning Commission process

| CocaME

Excerpt from Attachment 1 to August 19, 2014 Staff Report (Executive Summary of 2014 Keyser Marston Nexus Study), pp. 3-4:

5. ***Affordable housing obligations for properties that are rezoned from commercial to residential***

In an effort to encourage job growth and increase the amount of affordable housing, the County has adopted enhanced inclusionary requirements for residential projects built on properties that are rezoned from non-residential to residential, requiring such projects to designate 40% of on-site units as affordable to Very Low to Moderate Income Households.[1] This requirement generally renders new residential development on rezoned sites financially infeasible, as evidenced by both the findings of the financial feasibility analyses and the lack of new projects that have been built under these requirements. While adopted with noble intentions, the policy is not effective. It does not directly assist in creating new jobs, it does not create affordable housing, and it limits the County's ability to effectively manage land resources.

Given these considerations, we recommend that the inclusionary requirements for these projects be changed. We recommend that these rezoned properties be subject to the standard 15% inclusionary obligation unless sufficient subsidy sources or incentives are made available so that it is financially viable to exceed a 15% inclusionary requirement.

Exhibit K

SOURCE	EXCERPTS
	0905 To provide the County with a more effective means of managing land resources, we recommend that the County identify a set of "public benefits" criteria on which to evaluate rezoning applications. Examples might include requiring a project to: ▪ include a mix of land uses, ▪ demonstrate that it will not generate a fiscal burden on the County; ▪ be located within a specific geographic area, or ▪ subject to certain site standards or criteria. This type of approach will provide the County with the opportunity to establish specific objectives and criteria for maintaining commercially zoned areas while allowing additional flexibility to optimize land use decisions. ***6. Affordable housing obligations for Regional Housing Need R Combining Districts*** The primary purpose of the Regional Housing Need R Combining Districts is to provide for densities of 20 units per acre. These districts and densities are needed in order for the County to meet its regional housing needs assessment (RHNA) obligations. The 40% inclusionary obligation that applies to these districts addresses a policy objective but is not required to meet the County's housing element obligations. The findings of the nexus analysis support, on average, a maximum inclusionary obligation (through 150% of AMI) of approximately 23%. This maximum falls short of the standard 40% inclusionary obligation for properties within the R-Combining Districts, although it has not yet been determined if this requirement must be justified by a nexus study. Additionally, the financial feasibility analysis indicates that the 40% inclusionary requirement is not financially feasible without County subsidies. Given these considerations, we recommend that the inclusionary requirements of these districts be changed. We recommend that these properties be subject to the standard 15% inclusionary obligation unless sufficient subsidy sources are made available to development projects so that they can exceed the 15% inclusionary obligation. If the County desires to encourage additional affordable housing development in these areas, then one option to consider is to target available County resources to provide financial assistance to new affordable projects in these areas.

Exhibit K

SOURCE	EXCERPTS
	5. *Affordable housing obligations for properties that are rezoned from commercial to residential* In an effort to encourage job growth and increase the amount of affordable housing, the County has adopted enhanced inclusionary requirements for residential projects built on properties that are rezoned from non-residential to residential, requiring such projects to designate 40% of on-site units as affordable to Very Low to Moderate Income Households.[1] This requirement generally renders new residential development on rezoned sites financially infeasible, as evidenced by both the findings of the financial feasibility analyses and the lack of new projects that have been built under these requirements. While adopted with noble intentions, the policy is not effective. It does not directly assist in creating new jobs, it does not create affordable housing, and it limits the County's ability to effectively manage land resources. Given these considerations, we recommend that the inclusionary requirements for these projects be changed. We recommend that these rezoned properties be subject to the standard 15% inclusionary obligation unless sufficient subsidy sources or incentives are made available so that it is financially viable to exceed a 15% inclusionary requirement.

Exhibit K

Feb. 24, 2015 Board Meeting	**Excerpt from 2/ 24/15 Meeting Minutes, p. 722,** regarding adoption of Ordinance 5200, eliminating 40% affordability requirement for R-Combining Sites: https://santacruzcountyca.iqm2.com/Citizens/FileOpen.aspx?Type=12&ID=1172&Inline=True 7) Projects on lands that the County approves to be rezoned from non-residential to residential use will be subject to the standard applicable 15% on-site or impact fee requirements as apply to other projects; 8) "R-Combining District" sites will be subject to the standard applicable 15% on-site or impact fee requirements, unless the County or other funding entity provides incentives or funding accepted by the builder;
2015-2023 (5th Cycle) Adopted Housing Element	**pp. 4-26 – 4-27** **PLANNING INITIATIVES AFFECTING HOUSING POLICY UPDATES** Santa Cruz County is consistently ranked as one of the "least affordable" places to live in the Country[13]. This ignominious ranking, which relates County incomes to housing costs, illustrates the importance of cohesive and creative policy strategies to address a complex housing market. In an environment of high housing costs and limited land availability, the overall policy framework must encourage the development and redevelopment of available land in a manner that is efficient and that results in a mix of housing products and additional units being created. The County of Santa Cruz has undertaken a number of broad policy initiatives since the last Housing Element was completed, and these inform updates to housing policy. These include: (1) The Sustainable Santa Cruz County (SSCC) Plan, a planning study exploring tools the County can use to help create more sustainable and vibrant neighborhoods that meet the needs of workers, residents, the natural environment, and future generations. The Plan focuses on land use policies that would increase the variety of housing options, promote active transportation choices, and facilitate the creation of quality jobs for local residents. (2) The Economic Vitality Strategy (EVS) acknowledges that economic vitality depends on a healthy housing market, including viable programs and regulatory approaches that support creation and availability of affordable, workforce and market rate housing that is "affordable by design". (3) The Affordable Housing Program Update of the 35 year old inclusionary housing ordinance broadens the responsibility for addressing the need for affordable housing to all new development, including non-residential spaces. The update will be discussed further below. **AFFORDABLE HOUSING RESOURCES** **Redevelopment Low and Moderate Income Housing Fund.** Any discussion of policy changes affecting affordable housing in California must acknowledge the profound impact of the elimination of redevelopment agencies. In 2011 the State of California passed legislation that eliminated redevelopment agencies in some 400 [12]Housing and Community Development, May 2015

Exhibit K

jurisdictions across the State. Redevelopment provided a vital source of locally controlled affordable housing funds that could target projects and programs from the very lowest income households to those of moderate income. The County of Santa Cruz Redevelopment Agency (RDA) had a very active housing program that utilized redevelopment funds on a range of projects and activities, creating over 1,000 affordable housing units through its investments in new construction projects and assisting hundreds of households through its programs.

Low and Moderate Income Housing Asset Fund. As a follow up to the elimination of redevelopment, in 2013 the California legislature passed SB 341, which directs jurisdictions with former redevelopment agencies to establish a Low and Moderate Income Housing Asset Fund (Housing Asset Fund). As redevelopment loans are repaid, funds are deposited into the Housing Asset Fund to be spent for the development of housing affordable to and occupied by households earning 80% of AMI with at least eighty percent of the funds to be spent for the development of rental housing for households earning sixty percent of AMI or below. In addition, a limited amount of the Housing Asset Fund may be spent on administrative costs and on homeless prevention and rapid rehousing programs.

The redevelopment funded loans due to the County over a 25 year period are projected to generate funds that will be used on at least one affordable rental project during the Housing Element period. See Appendix 4.3-1 for a list of affordable housing projects funded with former redevelopment funds.

Measure J. In 1978 voters of Santa Cruz County passed "Measure J" - an initiative that, among other goals, requires that 15% of new residential construction in the unincorporated County be affordable to "average income" residents. For many years, implementation of Measure J focused on residential projects of 5 or more units, requiring that 15% of the homes in these projects be sold at a rate affordable to moderate income households. This approach created over 550 deed-restricted units, of which 455 are still available under the program. Nonetheless, over time there has been a significant gap between housing affordability, and market prices and the proportion of the overall housing stock priced at "affordable" levels is not adequate to meet local needs. The affordability mandate of Measure J has been met in large part through investments of the former RDA in affordable rental projects undertaken by nonprofit housing development corporations. While the Measure J program had a provision for including affordable units in rental projects, it did not generate affordable rental units and the provision was eliminated in February of 2015 in response to a Palmer/Sixth Street v. city of Los Angeles. The County's dearth of rental housing projects is consistent with nationwide trends affected by years of land use, lending and housing policies that have supported homeownership over rental workforce housing projects.

Exhibit K

In 2014 the County undertook a major update of the Affordable Housing Program that implements Measure J. This update included a nexus study and feasibility analysis intended to inform the update of the Housing Program, protect its legal standing, and ensure usefulness in supporting the creation of affordable housing in the County. The revised program establishes an Affordable Housing Impact Fee (AHIF) that takes an

"everyone pays" approach. In other words, the nexus study demonstrated that *all* new development creates the need for affordable housing and therefore should participate in a solution by contributing resources used to develop new affordable housing. That said, the feasibility study was intended to demonstrate that any new fee would be set at a level that would ensure that it would not act as a constraint to new development, and that it would maximize the efficient use of limited available land by incentivizing the development of smaller homes.

Figure 4.3.1: AFFORDABLE HOUSING IMPACT FEE (2015 Level)	
Non-residential Projects	
All new commercial square footage is subject to a $2 per square foot affordable housing impact fee.	
Residential Projects	
Rental Housing Projects:	Rental housing projects are subject to an affordable housing impact fee of $2 per habitable square foot
Residential projects of 1 to 4 units are subject to a fee based on size	Up to 2,000 square feet = $2 PSF 2,001-2,500 square feet= $3 PSF 2,501-3,000 = $5 PSF 3,001-4,000 = $10 PSF 4,001 and up = $15 PSF
Residential projects with 5 or more for-sale units	Developers can meet the affordable housing obligation either through payment of an AHIF of $15 per habitable square foot for all units in the project, or provide 15% of the units as on-site deed-restricted units

Exhibit K

	p. 4-100 **Urban Sites – Multi-Family 20 Units per Acre** Created in June of 2007, the Regional Housing Need Combining District (or "R-Combining District") was established to address the need for a zoning category to accommodate lower income housing needs at the state-established default density of 20 units per acre. This combining district was applied to 5 sites located throughout the urban portion of the County, resulting in rezoning a total of 26.5 acres of land with a capacity of 530 housing units into the high density district. These sites are located within the Urban Services Line and are served by urban level sewer, water, and drainage infrastructure by their respective sanitation, drainage, and water agencies. Two of the sites have been fully developed, and one is currently planned for partial development. The remaining sites with a combined capacity of 376 units are available for future development. Development of these sites is "by-right" – meaning that the use and density are not subject to discretionary review or permit, and the only discretionary permit that may be required is for design review. See appendix 4.6-4. **p. 4-109:** • **Available Sites – Urban 20 units/acre.** Created in June of 2007, the Regional Housing Need Combining District was adopted in conjunction with a prior Housing Element as the tool for Santa Cruz County to meet its goal of providing land for housing at a density of 20 units per acre. This combining district was applied to 5 sites located throughout the urban areas of the County, which resulted in a total capacity of 530 housing units. Of those sites, two have been developed and part of another site has been approved, has an allocation of local funding, and is applying for additional funding from other sources. A total of 376 units can be accommodated on remaining sites that have not yet obtained design permits. The actual income levels of the occupied developments is reflected in the chart above, and it is assumed that within the remaining sites 50% of the units would be available for housing affordable to low-income households, with the balance split between the very low and extremely low income categories.
Dec. 4, 2018 Board Meeting	**Ordinance Adoption including clean-up provisions to several code sections, including 13.10 and 17.10 regarding R-Combining District and Affordable Housing Requirements** https://santacruzcountyca.iqm2.com/Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=1672&MediaPosition=2085.469&ID=6321&CssClass=

Exhibit K

ATTACHMENT 3

0656

ORDINANCE NO. 5027

ORDINANCE GRANTING A PLANNED UNIT DEVELOPMENT AS ALLOWED BY SANTA CRUZ COUNTY CODE RELATING TO ESTABLISHMENT OF DEVELOPMENT STANDARDS FOR APN: 029-021-47

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

A Planned Unit Development is hereby granted to the property located on the south side of Soquel Avenue about 575 feet from the intersection of Mattison Lane and Soquel Avenue, also known as the PAZ, LLC Site, and shown on Exhibit A attached hereto and subject to the conditions shown on Exhibit B, attached hereto.

SECTION II

This ordinance shall become effective 31 days after adoption.

PASSED AND ADOPTED this 9th day of December 2008 by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES:	SUPERVISORS	Coonerty, Beautz, Stone and Pirie
NOES:	SUPERVISORS	None
ABSENT:	SUPERVISORS	None
ABSTAIN:	SUPERVISORS	Campos

ELLEN PIRIE
Chairman of the Board of Supervisors

Attest: TESS FITZGERALD
Clerk of the Board

APPROVED AS TO FORM:
County Counsel

I HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE ATTEST MY HAND AND SEAL THIS 9th DAY OF December 20 08
SUSAN A. MAURIELLO, COUNTY ADMINISTRATIVE OFFICER AND EX-OFFICIO CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, CALIFORNIA.
BY Sharon Mitchell DEPUTY

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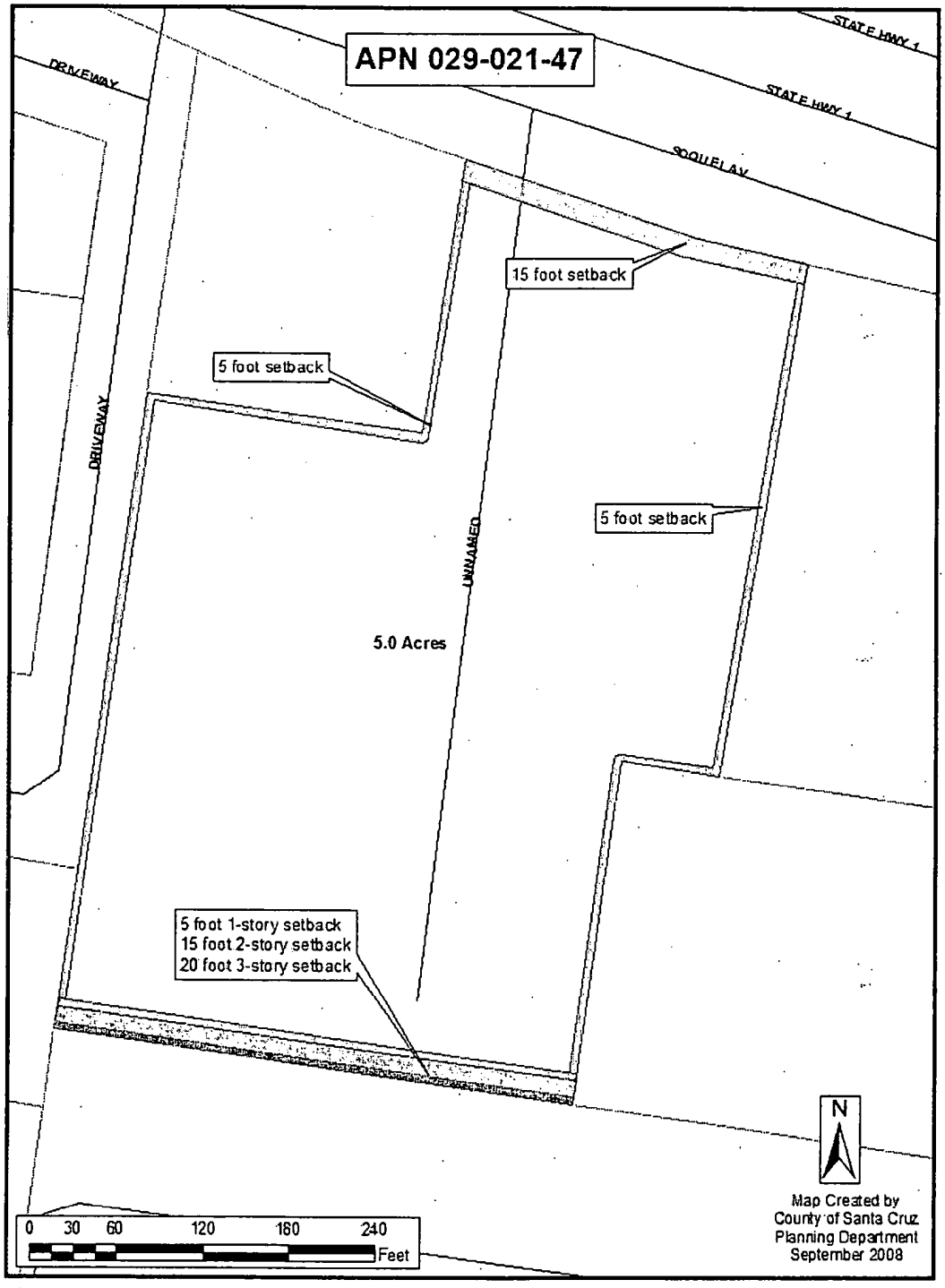
Exhibit L

EXHIBIT A

Planned Unit Development
Conditions of Approval

Property located on the south side of Soquel Avenue about 575 feet west of the intersection of Soquel Avenue and Mattison Lane; Live Oak Planning Area.

APN: 029-021-47



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Exhibit L

ATTACHMENT 3
0658

EXHIBIT B

Planned Unit Development
Conditions of Approval

Property located on the south side of Soquel Avenue about 575 feet west of the intersection of Soquel Avenue and Mattison Lane; Live Oak Planning Area.

APN: 029-021-47

This site contains 5.0 useable (developable) acres, equating to 100 dwelling units, of these, 15 affordable units are required under County Code Section 17.10.030(b)(1) and 25 affordable units are required by this Planned Unit Development (PUD). Development of this site is by-right in that the use and density for the site are not discretionary. A Level VII design review hearing is required.

I) General Site Standards

A) All requirements and standards contained in Section 13.10.475 through 13.10.478 of the County Code (Regional Housing Needs "R" Combining District) shall be applicable unless expressly modified by the conditions of this Planned Unit Development.

B) Site Standards. The following development standards supersede the development standards in the County Code. Unless specifically defined below, developments must meet all required development standards in the County Code at the time the Design Review application is deemed complete. All of the site standards contained within Chapter 13.10 regarding the Multi-Family (RM) zone district shall be applicable unless modified by this Planned Unit Development.

1) Circulation and Parking Requirements

(a) Parking Requirements.

(i) 1.5 spaces per studio or one-bedroom unit;

(ii) 2.0 spaces for two-bedroom unit;

(iii) 2.5 spaces for three-bedroom unit; and

(iv) 3.0 spaces per four-bedroom unit.

(v) An additional 20% of the total number of parking spaces to accommodate guest parking.

(vi) A reduction to the required on-site parking standard may be considered by the Board of Supervisors as part of the Design Review Permit. Any request shall include an on-site parking management plan prepared by a traffic engineer.

(vii) The maximum number of required parking spaces that may be compact in size is specified in County Code Section 13.10.553 (e) or its successor ordinance.

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Exhibit L

(viii) The standards for off-street parking facilities as outlined in County Code Section 13.10.554 at the time of application is deemed complete shall apply.

(b) Circulation Requirements. All interior driveways shall be a minimum of 20 feet in width for two-way circulation and 12 feet in width for one-way circulation. A minimum 50-foot centerline radius on all access routes is required.

(c) Bicycle Storage. At least one lockable storage space for bicycle storage shall be provided for each dwelling unit. This lockable storage area may be located within the storage area, as required in III.D.1(d).

(d) Accessibility. Developments must meet accessibility requirements of Title 24 of the Building Code or successor code in effect at the time the Building Permit application is submitted. Building Permit applications will not be processed concurrently with the Level VII Design Review application.

(i) Accessible parking shall be provided consistent with California State Law. This applies to the design of the parking spaces, location of the parking spaces, number of accessible spaces provided, and accessible path of travel through the development and to the public right-of-way.

2) Requirements for Structures

(a) Number of Stories. A maximum of three (3) stories as defined by the County Code exclusive of subsurface parking is allowed.

(i) Three stories are allowed except in areas restricted to a two-story maximum due to visual impacts. These areas are delineated in Exhibit A and are described below in Section I.B.4(c)(i).

(b) Height. Height of three-story structures may be up to 35 feet, exclusive of sub-surface parking, and the height of two-story structures may be up to 28 feet, exclusive of subsurface parking. In order to minimize grading on site, heights of buildings shall be measured only from finished grade, and in no case shall finished grade exceed natural grade by more than 3 feet.

(i) For any structure proposed to be within 2 feet of the maximum height limit, the building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site, which clearly depict the total height of the proposed structure above preconstruction natural grade and finished grade.

3) Developable Area Requirements

(a) Site Standards. Lot Coverage Site Standards and Floor Area Ratio Site Standards do not apply.

(b) Setbacks. The following setbacks are established from the perimeter of the property to the structures in aggregate and are as follows:

(i) North: 15 feet

(ii) East 5 feet

(iii) West: 5 feet

(iv) South: 5 feet to single story structures, 15 feet to two-story structures, 20 feet to three-story structures.

(v) For projects involving a tentative map, the interior setbacks and lot size shall be established through the Design Review process and are not subject to obtaining a Residential Development Permit under County Code Section 13.10.323(d)(1)(A) or its successor ordinance.

(c) Site Design

(i) In order to promote the development of smaller "villages" within the project site, and to prevent large, unbroken building frontages, buildings shall be clustered into groups around the site.

(ii) To the extent feasible, buildings should take advantage of solar opportunities for roof pitch and building orientation.

(iii) Structures shall be oriented and designed to create useable open space areas for each building cluster.

(iv) The Open Space requirements specified in County Code Section 13.10.323e(6)F shall not apply to this site. Instead, useable open space, including space for a community garden, shall be provided on site as specified by the Design Review permit. If family units are proposed for this site, the developer is encouraged to include one larger open space area for active use.

(v) Screening shall be installed along the eastern, western, and southern property lines consisting of masonry, wood fencing or a combination, and including vegetation, as appropriate to adjoining uses on either side of the property boundary, with materials and height to be established during the Level VII Design Review process taking into account noise and privacy issues.

(vi) The street frontage at Soquel Avenue shall include a single entrance, and should be characterized by articulated building facades or an appropriately and attractively designed sound barrier.

(vii) The developer is encouraged to separate parking areas and driveways from open space and units in order to promote pedestrian safety.

(viii) The developer is encouraged to incorporate significant landscape features in order to augment the livability of the project.

(d) Roadway Design. The following standards shall apply to internal roadways on the project site and along the Soquel Avenue frontage:

(i) Paved road width for internal two-way roads: Minimum 20'

(ii) Improvements: On Soquel Avenue, match the improvements to the west, in front of Live Oak Business Park which include a 69 foot right-of-way for the length of the site frontage, a 5 foot westbound bike lane, 12 foot travel lane, 11 foot center turn lane, 12 foot travel lane, 5 foot eastbound bike lane, 4.625 foot landscaping strip, and 6 foot sidewalk. The sidewalk shall connect to the

Exhibit L

existing sidewalk to the west of the site, subject to the conditions of County Code Section 18.10.240(d).

- When planting the landscaping strip, street trees shall conform to Redevelopment Agency standards, and plantings shall be arranged such that a METRO transit shelter could be incorporated at a future date.

(iii) Secondary access to the site shall be provided as Emergency Only, and negotiated as an easement with the owner of APN 029-021-59, directly to the west, subject to the conditions of County Code Section 18.10.240 (d).

4) Building Design Standards

(a) It shall be an objective of building design that the basic architectural design principles of balance, harmony, order and unity prevail, while not excluding the opportunity for unique design.

(b) Due to the required development density of this project, the requirements of Chapter 13.10 relating to distance between structures is not applicable.

(c) To reduce the potential bulk and mass of buildings, efforts shall be made to provide articulation and architectural features and to provide a transition from the adjacent properties. This transition shall be achieved by the following:

(i) Restricting buildings to 28 feet and two stories in height and set back a minimum of 15 feet adjacent to the southern property line.

(ii) Requiring that buildings facing public roads incorporate features such as step-back heights, articulation, variations in finishes, glazing, building separation and varied roof heights.

II) Project Review

A) Entitlements. All entitlements, with the exception of the building permit application review shall be processed concurrently at Level VII, subject to the processing provisions of 18.10.210, 18.10.332, and 18.10.211.

B) Tentative Map. If a tentative map approval is required, it must be included in the Level VII Design Review application. A Residential Development Permit, normally required by Section 13.10.323(d)(1)(A) is not required.

1) Development that includes approval of a Tentative Map is subject to the provisions of the Subdivision Map Act and Chapter 14.01. Where a tentative map is proposed, the public hearing shall be expanded to address findings necessary under the Subdivision Map Act. Wherever possible the environmental review performed at the time this PUD was adopted will be utilized in the processing of the Tentative Map unless the Environmental Coordinator determines that additional California Environmental Quality Act (CEQA) review is required based upon the available information.

III) Affordable Housing

A) Affordability Level. All development proposals for this parcel are required to provide a minimum of forty percent (40%) of the total number of units as affordable:

1) A minimum of 15% of the 100 units shall be affordable under the requirements for all development projects in Chapter 17.10.030(b)(1).

2) An additional minimum of 25% of the 100 units shall be affordable under the requirements for Enhanced Affordable units as described in Chapter 17.10.030(b)(6). For fractional numbers in the 25% Enhanced Affordable category, affordable housing obligation will be derived by rounding to the nearest whole number, such that 0.5 will be rounded up.

3) For the purpose of this PUD the following terms shall have the following meanings:

(a) "Enhanced Affordable" refers to the additional 25% affordable units required. These units may be rented at Enhanced Low Income levels or sold at Enhanced Moderate Income levels.

(i) For Enhanced Affordable units, the income and assets of owner-occupant households shall not exceed the limits for an Enhanced Moderate income household, and for tenant households, shall not exceed the limits for an Enhanced Low income household, unless more stringent limits are required by funding sources.

(b) "Enhanced Low Income" means a household earning up to 100% of median income. Rental pricing for units designated as affordable to Enhanced Low Income households is based on 80% of median income, as adjusted for household size.

(c) "Enhanced Moderate Income" means a household earning up to 150% of median income. Sales pricing for units designated as affordable to Enhanced Moderate Income households is based on 120% of median income, as adjusted for household size.

B) Financial Liability

1) In the event that a developer believes that the affordable housing requirements for a project proposed for this site renders the project financially infeasible, the developer may request relief from a proportional amount of the affordability requirements. That request shall be submitted to the Planning Director with all supporting information, including the development pro forma for the project. The Planning Director shall analyze that request and make suitable recommendations to the Board of Supervisors. In the event that the Board finds that the developer has provided evidence that fulfillment of the affordable housing requirements renders the project financially infeasible, the Board shall grant an increase in the allowed unit resale price, above the price restrictions contained in Sections 17.10.030(b)(1) and 17.10.030(b)(6) of the County Code, in an amount equal to that required to render the project financially feasible. In the event that such price modifications are granted, the developer shall grant the County Redevelopment Agency the option to purchase units at the revised sales price for the purpose of writing them down to suitable levels of affordability, consistent with the intent of this PUD.

C) Participation Agreement

1) Prior to Building Permit issuance or prior to filing of the Final Map, if one is required, the developer shall enter into a Certification and Participation Agreement with the County of Santa Cruz to meet the Affordable Housing Requirements specified by Chapter 17.10 of the County Code and as noted in Section III.A.1 and 2.

D) Affordable Unit Standards

1) The following standards supersede the standards of the County Code and Affordable Housing Guidelines regarding affordable units. Where not superseded by the provisions

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Exhibit L

below, affordable units shall be comparable to market rate units and must meet the requirements of Chapter 17.10 of the County Code and the Affordable Housing Guidelines and shall be subject to all affordable housing standards, with the following exceptions.

(a) The size of affordable units may be smaller than market rate units. At a minimum, the average size of the affordable units must be 70% of the average size of the market rate units (see County Code Section 17.10.032(a)(4)).

(b) The affordable units may average 0.5 of a bedroom less than the average number of bedrooms per unit in the market rate units.

(c) Affordable units may be clustered on-site.

(d) Where garages are provided for market rate units, garages are not required for affordable units. Where garages are not provided for any unit, that unit (market rate or affordable unit) shall have a minimum of 218 cubic feet of private storage space per unit which shall be accessed outside the unit and may not encroach into the required parking space dimensions.

E) Applicability of Density Bonus

1) Density Bonus provisions do not apply to developments meeting the minimum 40% requirements of the Regional Housing Need Combining District.

2) For projects eligible for concessions under State density bonus law due to an appropriate incremental increase in the number of affordable units as set forth in State law beyond those required by the Regional Housing Need Combining District, a project developer may request additional concessions as set forth in Chapter 17.12. No increase in the number of units on the site is allowed.

IV) Design Review

A) Public Hearings

1) Development proposals shall undergo a Design Review process and public hearing limited to design issues only. No discretionary permit is required for the density or use of the site. For development proposals under these "by-right" provisions, applicants must apply for a Level VII Design Review, which requires review at public hearing by the Planning Commission and Board of Supervisors. The Design Review Permit is valid for a maximum of two (2) years. The building permit shall be issued within the two-year period for the Design Review Permit to be exercised.

(a) Requests for an extension of time for the Design Review Permit shall be processed as a Level VII permit review. The permit may be extended for one year up to five (5) times for a total permit life of seven (7) years.

B) Development Standards

1) All requirements of the Site, Architectural and Landscape Design Review (Chapter 13.11) or successor ordinance in effect at the time a Design Review Application is deemed complete for processing shall be applicable unless modified by this PUD.

2) All applicable requirements and standards of the Zoning Regulations (Title 13, Chapter 13.10) and Environmental and Resource Protection Regulations (Title 16) in effect at the

time a Design Review Application is deemed complete for processing shall apply unless modified by this PUD.

3) All requirements of Section IX of this PUD shall be met during the review and construction of a housing project on this site. In particular the following requirements shall be met:

(a) All future development on the site shall comply with the requirements of the traffic study prepared by Fehr and Peers dated April 13, 2007, or an update thereof.

(b) All future development on the site shall comply with the requirements of the noise study prepared by Charles M. Salter Associates dated April 24, 2007, included as Exhibit C, or an update thereof.

(c) In fulfillment of Section IX, HYD-3 and HYD-4, of this PUD, improvements to the existing drainage system along Soquel Avenue from the culvert that drains across Highway 1 north of the project site, up to the box culvert in Rodeo Gulch, are required to address drainage from the site and the existing sub-standard system. Stormwater from the site shall be directed to a new drainage system installed along Soquel Avenue and emptying into Rodeo Gulch. All improvements shall meet Department of Public Works (DPW) Design Standards, and shall be constructed within the roadway up to the existing box culvert beneath Soquel Avenue and Highway 1. Alternative drainage proposals will require an amendment to this PUD.

(i) A Riparian Exception is granted with this PUD for installation and maintenance of drainage outlets and energy dissipaters in Rodeo Gulch under the following conditions:

- No disturbance is allowed below the average high-water mark of Rodeo Gulch.
- Prior to issuance of the final building permit, drainage plans shall be reviewed and approved by both DPW Drainage and Environmental Planning.
- Prior to issuance of the final building permit, the applicant shall provide the County a copy of the California Department of Fish and Game (CDFG) 1602 permit, or a statement from the CDFG that no permit is required.

C) Minor Variations

1) Minor variations to this permit that do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff.

D) Level VII Design Review Submittal Requirements

1) A Geotechnical Report shall be prepared for the site, as required by Section IX, Mitigation GEO-4, and meeting all requirements of that Section. Four copies of the report shall be submitted to the County for review at the time of project application and accepted prior to the application being determined complete. All requirements and recommendations of the approved report shall be incorporated into the project design. A Plan Review letter shall be submitted as part of the Design Review submittal and Building Permit Application submittal. All future development on the site shall comply with the requirements of the geotechnical report prepared by a licensed geotechnical engineer.

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2) Preliminary Architectural and Site Plans

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(a) Preliminary architectural and site plans, prepared by a licensed architect, meeting the standards established by the Planning Department for multi-family residential application submittal, shall be submitted. The plans shall incorporate, but not be limited to, all requirements contained in this PUD.

(b) The site plan shall clearly delineate all useable and non-usable areas, including but not limited to:

(i) Noise Buffer. The area of noise concern and an appropriate noise buffer area must be shown on the site plan. Please refer to the April 2007 report by Charles M. Salter Associates for guidelines regarding the required buffer and noise-reducing construction techniques.

- All interior spaces must meet County noise standards, but may also include operable windows.
- Exterior open space areas shall be sheltered by two or three story structures or by an adequate sound wall in order to reduce noise impacts.
- A soundwall at the Soquel frontage is not preferred, and if proposed should be designed in such a way as to incorporate vegetation, articulation, and visual interest.

3) Utilities, Roads and Services

(a) Preliminary engineered improvement plans shall be submitted to the Planning Department for all roads, curbs and gutters, storm drains, erosion control, and other improvements proposed or required by this PUD. Form and content of the plans shall meet the standards established by the Planning Department for multi-family residential application submittal.

(i) Preliminary improvement plans shall meet the following requirements, as well as those specified in Section IX, TRA-1 of this PUD:

- All improvements shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria except as modified herein. Plans shall also comply with applicable provisions of Title 24 (Accessibility) of the State Building Code.
- Preliminary drainage details including existing and proposed contours, plan views and centerline profiles of all driveway improvements, complete drainage calculations and all volumes of excavated and fill soils. This includes off-site work as described in Section IV. B. 5, and Section IX, PSU-1 and HYD-3, HYD-4, HYD-5, and HYD-6.

1. The drainage system shall be designed such that there is no substantial change to the drainage feature on APN 029-021-46.

- Preliminary grading plans must be submitted at time of application. An objective of the project design shall be to minimize the grading on site and off site to the maximum extent possible. This includes designing the grading and foundations to follow existing topography as much as possible, while still meeting the conditions of Section IX GEO-1, GEO-2, GEO-3, and GEO-4 of this PUD. The grading plans shall include existing and proposed contours, plan views and centerline profiles of all driveway improvements, locations,

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and heights of all retaining walls, preliminary drainage design, grading cross sections through proposed building pads, and all volumes of excavated and fill soils. This includes all on-site and off-site work. In no case shall final finished grade exceed 3' above pre-construction existing grade.

- Preliminary Sanitation plans shall be submitted to DPW for all sanitary improvements proposed or required by this PUD, either on site or off site.

(ii) All road plans shall comply with all requirements of the DPW Road Engineering and shall be consistent with the County's Design Criteria and any adopted Plan Line, as well as Section IX, TRA-1 of this PUD.

(iii) A sign plan indicating the location and size of all signs on the site shall be submitted. The signs shall be consistent with the provisions of this PUD.

V) Final Map Requirements and Timing.

If the project includes a Map, the following requirements shall be met prior to the final map filing:

A) Drainage. Final engineered drainage details shall be submitted to the County Planning and Public Works departments for both on- and off-site drainage work. Drainage plans shall show that the release rate from the site will not exceed the pre-development 10-year storm level, as required by Section IX, HYD-4 and PSU-1 of this PUD. Drainage from road improvements shall be filtered and released into the new drainage system along Soquel Avenue. A Construction Activities Stormwater General National Pollutant Discharge Elimination System (NPDES) Permit shall be obtained from the State Water Resources Control Board.

B) Roads. Final engineered road improvement plans shall be submitted to the County Planning and Public Works departments for both on- and off-site road improvements.

C) Recorded Conditions. Proof must be submitted that the conditions of all required permits (such as Design Review, NPDES) have been recorded in the official records of the County Recorder.

D) Affordable Housing. The developer must enter into an Affordable Housing Participation Agreement with the County of Santa Cruz.

E) Fees. All applicable in-lieu fees shall be paid.

1) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.01 or its successor ordinance, park dedication in-lieu fees shall be paid for each dwelling unit. The fees in effect at the time of filing of a Final Map, if applicable, shall be paid.

VI) Building Permit Requirements and Timing:

Prior to the issuance of any building permit, all of the following conditions shall be met, some of which may have been met at the Final Map Stage:

A) Plans shall be consistent with the Design Review approved project and all requirements of this PUD.

B) Final engineered drainage details shall be submitted to DPW Drainage for both on–site and off-site drainage work.

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1) The allowable release rate from the site shall be limited to the 10-year predevelopment flow rates or less based on the assessment performed by Ifland Engineers dated August, 2008. The safe overflow paths for the proposed mitigation system shall be described and analyzed, and techniques such as minimizing site disturbance, minimizing impervious areas, utilizing pervious surfacing, eliminating directly connected impervious areas, clustering development shall be considered.

2) All runoff from parking and driveway areas shall go through water quality treatment prior to discharge from the site.

3) Depending on the nature of the proposed development DPW staff may inspect the construction of the drainage related items.

4) Zone 5 fees will be assessed on the net increase in impervious area due to the development project. Semi-pervious surfaces will be charged at a 50% rate.

C) Final engineered road improvement plans shall be submitted to the County for both on–site and off-site road improvements.

D) Proof that the conditions of all required permits (such as Design Review, Tentative Map) and all required Declarations of Restriction and Statements of Acknowledgment have been recorded in the official records of the County Recorder shall be submitted to the Planning Department prior to the issuance of Building Permits.

E) All applicable in lieu fees shall be paid.

1) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.01 or its successor ordinance, park dedication in-lieu fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance or filing of a Final Map, if applicable, shall be paid.

2) Unless otherwise satisfied by meeting the requirements of County Code Chapter 15.04 or its successor ordinance, Child Care Development fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance or filing of a Final Map, if applicable, shall be paid.

3) Transportation improvement fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance or filing of a Final Map, if applicable, shall be paid. A credit may be allowed for installation of improvements off-site that are part of the Capital Improvement Program.

4) Roadside improvement fees shall be paid for each dwelling unit. The fees in effect at the time of building permit issuance or filing of a Final Map, if applicable, shall be paid. A credit may be allowed for installation of improvements off-site that are part of the Capital Improvement Program.

5) 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 said school district in which the project is located shall be submitted to the Planning Department prior to building permit issuance. The applicant/developer is advised that the development may be subject to inclusion in a Mello-Roos Community Facilities.

F) Plan review letters shall be obtained from the technical report authors indicating that the plans comply with the County approved technical reports and all of their recommendations have been incorporated into the project plans.

G) All requirements of the Central Fire Protection District shall be met with respect to access, turnarounds, fees, water availability and design features.

H) The units shall be connected for sewer service to the Sanitation District. All regulations, conditions and hookup charges of the Sanitation District shall be met. Currently the site is not connected to the sewer lines and off-site improvements will be required to access either the main line in Mattison Lane, or in Chanticleer Avenue. Final engineered plans shall be submitted complying with all requirements and standards of the Sanitation District, as specified in Section IX.

1) Payment equivalent to the required flow metering and odor control equipment will be collected at the time sewer connection permits are obtained.

I) All units shall be served by the Santa Cruz Water District. All requirements of that water district including the payment of connection charges shall be met. Engineered improvement plans for all water line extensions required by the Santa Cruz Water District shall be submitted for the review and approval of the water agency. Off site improvements may be required.

J) Final engineered plans shall be submitted complying with all requirements and standards of the Santa Cruz Water District.

K) The developer shall enter into the Affordable Housing Participation Agreement with the County.

L) One (1) "construction/security trailer" (maximum 12 feet by 60 feet) is allowed on the site during construction. The size and location of the unit conforming to all yard setbacks contained in the PUD shall be shown on the plot plan. Compliance with Section 13.10.683 or any successor ordinance is required. A building permit is required for installation of the construction trailer.

M) Any signs shall comply with Section 13.10.580 or any successor ordinance and the location and design shall be reviewed and approved as part of the Design Review process. The following signs are allowed:

1) A non-illuminated temporary sign pertaining to the sale, lease or rental of a dwelling and limited to six square feet in size or less.

2) A permanent identification sign, in-directly illuminated, of 12 square feet or less.

N) Prior to the final inspection or clearance of the building permit, all of the site improvements shown on the approved building permit plans and Design Review Approval shall be installed/ implemented.

VII) Construction Phase Requirements

A) Prior to any site disturbance or physical construction on the subject property the following condition shall be met:

1) Pre-Construction Meeting: In order to ensure that the mitigation measures are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall convene a pre-construction meeting on the

site. The following parties shall attend: applicant, grading contractor supervisor, and Santa Cruz County Environmental Planning staff. The receiving site for any exported fill will also be identified and County approved grading permits presented.

B) All work adjacent to or within a County road shall be subject to the provisions of Chapter 9.70 of the County Code, including obtaining an encroachment permit where required. Where feasible, all improvements adjacent to or affecting a County road shall be coordinated with any planned County-sponsored construction on that road. An Encroachment Permit from DPW shall be obtained for any work performed in the public right-of-way. All work shall be consistent with the DPW Design Criteria unless otherwise specifically excepted by this PUD.

C) No land clearing, grading or excavating shall take place between October 15 and April 15 unless a separate winter grading approval is granted by the Planning Director, which may or may not be granted.

D) 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 the conditions of an entitlement permit).

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 human remains of any age or any artifact or other evidence of an archaeological resource or a Native American cultural site which reasonably appears to exceed 100 years of age 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) To minimize noise and nuisance impacts on surrounding properties during construction, the owner/applicant shall or shall have the project contractor, comply with the following measures during all construction work:

1) All construction shall be limited to the time between 7:30 am and 4:30 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address and emergency situation; and

G) The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site, and visible from Soquel Avenue. 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.

VIII) Mitigation Monitoring Program

The mitigation measures listed under this heading have been incorporated in the conditions of this approval 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. The purpose of this monitoring is to ensure compliance with the environmental mitigations during implementation and operation. Failure to comply with the conditions contained within the PUD, including the terms of the adopted mitigation monitoring program, may result in the revocation of the PUD pursuant to section 18.10.136 of the Santa Cruz County Code.

IX) Mitigation Measures

Environmental Impacts		Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Geology/Soils					
GEO-1	Expose people or structures to potential adverse effects, including the risk of material loss, injury, or death involving seismic ground shaking.	Residential structures shall be supported on post-tensioned slabs that are designed for expansive soils unless the geotechnical engineer specifies alternative designs. The slab foundations shall bear entirely on the properly prepared compacted structural fill or native soils. In no case shall a slab foundation bear upon more than one of these materials. A soils report shall be required to confirm the design criteria for the project site. The recommendations of the soils report shall be implemented to adequately mitigate for this potential hazard.	County Planning Department	Building/Grading Permit	Project Design
GEO-2	Subject people or improvements to damage from soil instability as a result of on- or off-site landslide, lateral spreading, subsidence, liquefaction, or structural collapse.	Constructing with post-tensioned slab foundations and following the recommendations of the geotechnical engineer will be required to mitigate for this potential hazard.	County Planning Department	Building/Grading Permit	Project Design
GEO-3	Result in soil erosion or the substantial loss of topsoil.	Prior to approval of a grading or building permit, the project must have an approved Erosion Control Plan, which will specify detailed erosion and sedimentation control measures (County Code Chapter 16.22.060). The plan will include provisions for disturbed areas to be planted with groundcover and to be maintained to minimize surface erosion.	County Planning Department	Building/Grading Permit	Prior to issuance of Building Permit
GEO-4	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code(1994), creating substantial risks to property.	A geotechnical investigation and soils report shall be required to determine appropriate design criteria for the project site. The recommendations of the geotechnical investigation and soils report shall be implemented to adequately mitigate for this potential hazard.	County Planning Department	Building/Grading Permit	Project Design
Hydrology/Water Supply/Water Quality					
HYD-1	Deplete groundwater supplies or interfere substantially with groundwater recharge	A water main extension will be required for the City of Santa Cruz Water Department, along with fire, domestic, irrigation meters and fire hydrants. Connection fees will be required per number and type of residential unit. Connection fees for irrigation will be calculated based on fixture points and/or	City of Santa Cruz Water Department	Water Service	Prior to Construction

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Environmental Impacts		Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	such that there would be a net deficit, or a significant contribution to an existing net deficit in available supply, or a significant lowering of the local groundwater table.	gallon per minute demand. All public water facilities shall be installed within a designated utility easement per Santa Cruz Water Department Standard Specifications and Details.			
HYD-2	Degrade a public or private water supply. (Including the contribution of urban contaminants, nutrient enrichments, or other agricultural chemicals or seawater intrusion).	Potential siltation from the proposed project will be mitigated through implementation of an Erosion Control Plan (see Geology and Soils). A silt and grease trap, and a plan for maintenance, will be required to reduce this impact to a less than significant level.	County Planning Department	Building/Grading Permit	Ongoing
HYD-3	Alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that could result in flooding, erosion, or siltation on or off-site.	The proposed project would comply with Chapter 16.22.070 (Runoff Control) of the County Code. The following measures shall be used for runoff control, and shall be adequate to control runoff from a 10-year storm: (a) To the extent that that onsite percolation is not sufficient, all runoff shall be detained or dispersed over non-erodible vegetated surfaces so that the runoff rate does not exceed the predevelopment level. Onsite detention may be required by the Planning Director where excessive runoff would contribute to downstream erosion or flooding. (Any policies and regulations for any drainage zones where the project is located will also apply.) Detention facilities included in future development shall be designed not to exceed predevelopment flows in order to avoid downstream effects. (b) Any concentrated runoff that cannot be effectively dispersed without causing erosion, shall be carried in non-erodible channels or conduits to the nearest drainage course designated for such purpose by the Planning Director or to on-site percolation devices. Where water will be discharged to natural ground or channels, appropriate energy dissipaters shall be installed to prevent erosion at the point of discharge. (c) Runoff from disturbed areas shall be detained or filtered by berms, vegetated filter strips, catch basins, or other means as necessary to prevent the escape of sediment from the disturbed area. (d) No earth or organic material shall be deposited or placed where it may be directly carried into a stream, marsh, slough, lagoon, or body of standing water.	County Planning Department	Building/Grading Permit	During Construction and Ongoing

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Environmental Impacts		Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
		In an effort to reduce runoff, implement techniques where feasible such as minimizing site disturbance, minimizing proposed impervious areas, utilizing pervious surfacing, eliminating directly connected impervious areas, clustering development, etc.			
HYD-4	Create or contribute runoff that would exceed the capacity of existing or planned storm water drainage systems, or create additional source(s) of polluted runoff.	All project runoff in excess of predevelopment levels for a 10-year storm event shall be detained on the site. All runoff from parking and driveway areas shall go through water quality treatment prior to discharge from the site (e.g., outsloping driveways to drain to landscaped areas for filtering prior to discharge from the site). If structural treatment is proposed, a recorded maintenance agreement will be required. This agreement shall be signed, notarized, and recorded, and a copy of the recorded agreement shall be submitted to the County DPW. The Developer shall provide permanent markings at each drainage inlet that reads "NO DUMPING-DRAINS TO BAY," or equivalent. The property owner will be responsible for maintaining these markings.	County Planning Department and Department of Public Works	Building/Grading Permit	Design and Construction
HYD-5	Contribute to flood levels or erosion in natural water courses by discharges of newly collected runoff.	All runoff in excess of predevelopment levels for a 10-year storm event shall be detained on the site.	County Planning Department	Building/Grading Permit	Design and Construction
HYD-6	Otherwise substantially degrade water supply or quality.	Silt and grease traps, and a plan for maintenance will be required to minimize the effects of urban pollutants. In addition, an Erosion Control Plan as specified in Section 16.22.060 of the County Code, and a Storm Water Pollution Prevention Plan will be required during construction. Because the proposed project would result in a land disturbance of one acre or more, a Construction Activities Storm Water General NPDES Permit shall be obtained from the State Water Resources Control Board. Construction activities include clearing, grading, excavation, stockpiling, and reconstruction of existing facilities involving removal and replacement.	County Planning Department	Building/Grading Permit	Design and Construction, and ongoing
Biological Resources					
BIO-1	Have an adverse effect on a sensitive biotic community (riparian corridor), wetland, native grassland, special forests, intertidal zone, etc.	All work during installation of the drainage outfall shall occur from Soquel Avenue. Construction equipment is not allowed to enter Rodeo Creek Gulch during project construction. All drainage work adjacent to Rodeo Creek Gulch shall be completed outside of the breeding season for migratory birds (February 15 through August 15).	County Planning Department; California Department of Fish and Game	Building/Grading Permit	Design and Construction

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Environmental Impacts		Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Visual Resources and Aesthetics					
VIS-1	Create a new source of light or glare that would adversely affect day or nighttime views in the area.	The following project conditions to reduce night lighting impacts shall be implemented: (a) It shall be an objective of lighting design to relate to the site and building design and reduce off-site impacts. (b) All site, building, security and landscape lighting shall be directed onto the site and away from adjacent properties. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design or other physical means. Building and security lighting shall be integrated into the building design. (c) All lighted parking and circulation areas shall utilize low-rise light standards or light fixtures attached to the building. Light standards to a maximum height of 15 feet are allowed. Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.	County Planning Department	Building/Grading Permit	Design and Construction
Cultural & Archeological Resources					
CUL-1	Cause an adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines 15064.5.	No archeological resources are known to occur or expected within the project area. However, the potential for archaeological resources exists within and adjacent to Rodeo Gulch. Therefore, construction of the drainage outfall proposed immediately south of Soquel Avenue shall occur entirely within the elevated roadway prism composed entirely of fill material.	County Planning Department	Building/Grading Permit	Project Construction
CUL-2	Disturb any human remains, including those interred outside of formal cemeteries.	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 mitigations to preserve the resource on the site are established.	County Planning Department	Building/Grading Permit	During Construction
Hazards and Hazardous Materials					
HAZ-1	Be located on a site	Based on the findings of the 2007 Phase I ESA, the following mitigation	County Planning	Building/Grading	During Construction

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Environmental Impacts		Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	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.	measures shall be implemented: • Prior to renovation or demolition, sampling shall be conducted to assess if asbestos is contained in the construction materials of the building. The California Health and Safety Code requires owners of structures with asbestos containing material (ACM) to notify tenants and employees that the building has ACM. • All hazardous materials on the project site shall be stored in appropriate secondary containment to prevent spills or leaks. • Based on the surface staining near hazardous materials, the improper storage noted in the 1999 Phase I ESA, and the potential collection and drainage of motor fuel and oil by the sump formerly located on the project site, several soil borings and soil samples shall be taken to assess potential subsurface impacts. • All fluids shall be drained and batteries removed from non-functioning vehicles on the project site and disposed of properly to prevent leaking and spilling. • The waste oil tank shall be removed from the project site, if no longer in use, or, if the tank is not removed from the project site, it shall be stored in appropriate secondary containment to prevent further leaking and spilling. • The automobile parts cleaner shall be removed from the project site, if no longer in use, and the remaining solvent shall be disposed of properly.	Department	Permit	
Transportation/Traffic					
TRA-1	Exceed, either individually (the project alone) or cumulatively (the project combined with other development), a level of service standard established by the county congestion management agency for designated intersections, roads or highways.	The following mitigation shall be implemented: 1. *Soquel Avenue/SR1 Southbound Ramps:* Intersection operations can be improved by modifying the eastbound lane configuration and signal timings. The eastbound approach would be re-striped to provide a dedicated left-turn lane and one through lane (from a shared left-turn/through lane and one through lane). The signal timings will be modified to provide protected phasing for the eastbound left-turn movement. No changes are proposed for other approaches. The applicant shall pay fair share fees to the County of Santa Cruz for the required intersection improvements. 2. *Soquel Avenue/Chanticleer Avenue:* Peak-hour signal warrants are met at the Soquel Avenue/Chanticleer Avenue intersection during both peak hours. This intersection improvement is currently in the County's plan for improvements along Soquel Avenue. The applicant shall pay fair share fees to the County of Santa Cruz for the required intersection	County Planning Department	Building/Grading Permit	Prior to Construction

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Environmental Impacts		Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
		improvements.			
Air Quality					
AQ-1	Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	Construction activities (e.g., excavation, grading, on-site vehicles) that directly generate 82 pounds per day or more of PM10 would result in a significant impact on local air quality if located nearby and upwind of sensitive receptors. Although project construction may result in a short-term, localized decrease in air quality due to generation of dust, the implementation of standard best management practices would reduce PM10 levels well below 82 pounds per day. The following mitigation measures will reduce construction-related emissions to a less than significant level. • All active construction areas shall be watered at least twice daily. Frequency will be based on the type of operation, soil, and wind exposure. • All grading activities will be prohibited during periods of high wind (over 15 mph). • Chemical soil stabilizers shall be applied to inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days). • Non-toxic binders (e.g., latex acrylic copolymer) shall be applied to exposed areas after cut and fill operations and to hydroseed areas. • Haul trucks shall maintain at least 2'0" of freeboard. • All trucks hauling dirt, sand, or loose materials shall be covered. • Vegetative ground cover shall be installed in disturbed areas as soon as possible. • Inactive storage piles shall be covered. • Wheel washers shall be installed at the entrance to construction-sites for all exiting trucks. • Streets shall be swept if visible soil material is carried out from the construction site. • A publicly visible sign shall be posted that specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 (Nuisance). • Limit the area under construction at any one time (MBUAPCD 2008).	County Planning Department and Monterey Bay Unified Air Pollution Control District	Building/Grading Permit	During Construction
AQ-2	Expose sensitive receptors to substantial	There would be a short-term air quality impact from emissions generated during site preparation (including soil stabilization efforts) and building	County Planning Department and	Building/Grading Permit	During Construction

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Environmental Impacts		Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	pollutant concentrations.	construction. Dust from grading and emissions from heavy equipment would incrementally increase emissions over the short-term. There would be a long-term incremental decrease in air quality resulting from vehicle emissions generated by the proposed project. However, this impact is not considered to be significant with implementation of the above mitigation.	Monterey Bay Unified Air Pollution Control District	Permit	
Public Services and Utilities					
PSU-1	Result in the need for construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	The proposed project would comply with Chapter 16.22.070 (Runoff Control) of the County Code. The following measures shall be used for runoff control, and shall be adequate to control runoff from a 10-year storm: (a) To the extent that onsite percolation is not sufficient, all runoff shall be detained or dispersed over non-erodible vegetated surfaces so that the runoff rate does not exceed the predevelopment level. Onsite detention may be required by the Planning Director where excessive runoff would contribute to downstream erosion or flooding. (Any policies and regulations for any drainage zones where the project is located will also apply.) Detention facilities included in future development shall be designed not to exceed predevelopment flows in order to avoid downstream effects. (b) Any concentrated runoff that cannot be effectively dispersed without causing erosion, shall be carried in non-erodible channels or conduits to the nearest drainage course designated for such purpose by the Planning Director or to on-site percolation devices. Where water will be discharged to natural ground or channels, appropriate energy dissipaters shall be installed to prevent erosion at the point of discharge. (c) Runoff from disturbed areas shall be detained or filtered by berms, vegetated filter strips, catch basins, or other means as necessary to prevent the escape of sediment from the disturbed area. (d) No earth or organic material shall be deposited or placed where it may be directly carried into a stream, marsh, slough, lagoon, or body of standing water. (e) In an effort to reduce runoff, techniques such as minimizing site disturbance, minimizing proposed impervious areas, utilizing pervious surfacing, eliminating directly connected impervious areas, clustering development, etc., shall be implemented to the extent feasible.	County Planning Department and County Department of Public Works	Building/Grading Permit	During Construct
PSU-2	Result in the need for construction of new water or wastewater treatment facilities or	The proposed project is located within the Rodeo Gulch impacted sewer basin in which the Santa Cruz County Sanitation District Board of Directors (Board) has placed development restrictions. No development shall occur until the development restriction is lifted or the following mitigation measures	County Department of Public Works	Building/Grading Permit	During Construction

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Environmental Impacts		Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	expansion of existing facilities, the construction of which could cause significant environmental effects.	are implemented. • A sewer extension, pump station and area-wide study of the properties in the area that currently do not have sewer service. If the project engineer determines that the project parcel is the only parcel to be connected to a pump station, the pump station will be privately maintained and located on private property. Housing for any required on-site generator and controls shall match the architecture of the subdivision or complex. A response and maintenance manual shall be prepared by the developer, submitted to the Santa Cruz County Sanitation District for review and approval at the building permit phase. • If it is necessary for the project to sewer via Mattison Lane, three segments of public sewer main downstream of the project site would experience capacity problems, and 816 linear feet of sewer shall be upgraded. • If it is necessary for the project to sewer via Chanticleer Avenue, sewer capacity will become available following the planned upgrades for the 2009 construction season. Sewer connection via Chanticleer Avenue will not be available prior to completion of the upgrades. • A sewer connection of $3,000 per individual dwelling unit will be required unless any of the units qualify by the Board as a) low income senior rental units, or b) below average-income ownership units.			

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Jonathan DiSalvo

From: Leila Kiba <leilakiba@yahoo.com>
Sent: Friday, November 28, 2025 2:17 PM
To: Jonathan DiSalvo
Subject: 5940 Soquel

Follow Up Flag: Follow up
Flag Status: Flagged

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Please do not build 100 condominiums at that location.

If you do, then improve the frontage road to allow traffic to get to highway 1.
The on/off ramp onto highway 1 is already congested at commute.
The frontage road is bumper to bumper .If there is an emergency it would probably be quicker to walk to Dominican over the foot bridge, than by car or ambulance.

Leila Kiba
2627 Mattison Lane
Santa Cruz, CA 95062

831-239-7533

Exhibit M

Jonathan DiSalvo

From: Jonathan DiSalvo
Sent: Monday, December 1, 2025 8:59 AM
To: 'Teresa Buika'
Subject: RE: 5940 Soquel Condo Plans

Hello Teresa,

This item is scheduled for the December 10, 2025, Planning Commission hearing. The meeting agenda can be located, here: Community Development and Infrastructure Agenda

The staff report will be posted to the above-linked agenda one week prior to the meeting.

The Planning Commission meeting will be held, here:

Community Room (Basement)
County Government Center
701 Ocean Street, Room 020 (Basement)
Santa Cruz, CA 95060

A transportation impact analysis (Feer & Peers, 2007) was prepared for the approved Permit No. 07-0414, PUD Ordinance No. 5027, and its associated Initial Study/Mitigated Negative Declaration under CEQA, establishing by-right development of 100 residential units on the project site. As conditioned, the project will submit an updated traffic impact study prior to recordation of the Final Map. The updated traffic study is needed to identify any necessary mitigation measures and the project's fair-share contribution toward those mitigations, and the project is required to pay the fair share contributions identified within the study.

The Planning Commission and Board of Supervisors will be conducting design review of the project; however, the 100-unit density is allowed by-right on the project site. Feel free to review the staff report once it is published, as it will contain a detailed analysis of the project.

You can request to view the application file for Application No. 241488, here: Records Request Form

You can view the 2007 traffic analysis in the application file by submitting the Records Request above. You can also view the updated traffic study in the application file (Hexagon, 2025); however, this traffic study is still in draft, pending review and acceptance by the County's Roadway Engineer.

Thank you,

Exhibit M

Jonathan DiSalvo

Senior Planner
Community Development & Infrastructure

Phone: 831-454-3157
701 Ocean Street, Room 400

From: Teresa Buika <tbones1010@gmail.com>
Sent: Tuesday, November 25, 2025 1:37 PM
To: Jonathan DiSalvo <Jonathan.DiSalvo@santacruzcountyca.gov>
Subject: 5940 Soquel Condo Plans

****CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Jonathan,
Can you please send me the Planning COmmission item for this proposed development? Site plans and all the materials? Or a link to the full planning commission agenda packet that has all of this?

Where is the staff report and staff analysis on this including a traffic report and impact on Soquel Ave.

Thank you.
Teresa B

Exhibit M

Jonathan DiSalvo

From: Linda Lawrence <marvinlindal@sbcglobal.net>
Sent: Monday, December 1, 2025 8:44 PM
To: Jonathan DiSalvo
Subject: Proposed Developement at 5940 Soquel Avenue

Follow Up Flag: Follow up
Flag Status: Flagged

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Re: Application 241488

Dear Mr. DiSalvo,

I am writing to you regarding the proposel to subdivide an existing parcel to create 100 condominium parcels and to construct 100 residental units within 17 three-storybuildings on the property at 5940 Soquel Avneue, Santa Cruz.
I am a resident in the Beachcomber Mobile Home Park at 2627 Mattison Lane in Unit #34. My mobile home backs up to the property at 5940 Soquel Avenue. If these units are constructed their front door and second story balcony off of their living rooms will be approximately 20 feet from my bedroom, which is at the back of my mobile home. They will not only look right into my back yard, but also my bedroom. A building of this height will also block out the light to my home because of it being so close.
I, as well as many of my neighbors, am very opposed to this project for the following reasons: 1) the closeness to the back of our homes; 2) a building of this height will block the sunlight from the back of our homes; 3) people will be able to look right into our yards, which will give us no privacy; 4) street parking in our area will be greatly impacted, which it already is, as there are 3 other developements approved for this are (1 almost directly across from our park, one where Mattison Lane curves and goes over to Chanticler Avenue and one on Maciel, which is already under construction; 5) there are only 7 visitor parking spaces for this developement and no on street parking; 6) there is only one street coming into the developement off of Soquel Avenue and no other way to go out of the developement in case of emergency; 8) the proposed sale price of each unit is to start at $1.2 million so this is not affordable housing; 9) this developement will create more traffic on Soquel Avenue, especially at peak commute times; 10) will put a strain on our infastructure like water and sewer; 11) the streets within the development are really no more than alley ways so that would impact the ability of Emergency vehicles to move around in case of emergency.
I have lived my whole life in Live Oak and Soquel area and have not been opposed to progress or the need for more housing, but a development like this DOES NOT meet what this area needs. We need housing that is affordable. An alternative use for this property would be a nice, all age,

Exhibit M

mobile home park, which people could afford and would provide much more adiquate parking for the residents and could be the same amount or more units.
I would strongly recommend that this developement NOT BE approved.

Sincerely,
Linda Lawrence
2627 Mattison Lane, Sp. #34
Santa Cruz, CA 95062
marvinlindal@sbcglobal.net
831-332-0630

Exhibit M