



Staff Report to the Planning Commission

Application Number: **08-0534**

Applicant: Larry Busch
Owner: Larry and Karen Busch
APN: 067-041-24

Agenda Date: August 26, 2009
Agenda Item #: 8
Time: After 9:00 a.m.

Project Description: Proposal to divide an existing 43,532 square foot parcel into three parcels of 12,038, 10,000, and 10,000 net square feet each, construct two new two-story dwellings of 2,945, and 2,994 square feet, relocate an existing single-family dwelling onsite, to grade about 240 cubic yards, and to eliminate a non-access easement recorded with a Parcel Map recorded in 1974.

Location: Property located on the northeast corner of Twin Pines Drive and Tan Oak Drive, about 225 feet northwest of the intersection with Lockwood Lane (587 Twin Pines Drive).

Supervisory District: 5th District (District Supervisor: Mark Stone)

Permits Required: Minor Land Division, Residential Development Permit, Preliminary Grading Approval

Technical Reviews: Soils Report Review

Staff Recommendation:

- Certification of the Mitigated Negative Declaration completed in accordance with the California Environmental Quality Act.
- Approval of Application 08-0534, based on the attached findings and conditions.

Exhibits

A.	Project Plans	<i>Attachments 3 through 6 – Technical Reviews</i>
B.	Findings	
C.	Conditions	<i>Attachment 7 – Low-Effect Habitat Conservation Plan</i>
D.	Mitigated Negative Declaration (CEQA determination)	<i>Attachments 8 - Comments and Correspondence</i>
E.	Initial Study with attachments; including: <i>Attachment 1 – Assessor's Parcel, Location, Zoning, General Plan</i>	<i>Attachments 9 and 10 – Will Serve Letters Attachment 11 – Declaration of Restriction Regarding Biotic Resources</i>

County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor, Santa Cruz CA 95060

Parcel Information

Parcel Size: 43,532 square feet
Existing Land Use - Parcel: Single-family residence
Existing Land Use - Surrounding: Single-family residential neighborhood
Project Access: Twin Pines Drive
Planning Area: San Lorenzo Valley
Land Use Designation: R-UL (Urban Low Residential)
Zone District: R-1-10 (Single Family Residential - 10,000 square foot minimum site area)
Coastal Zone: Inside Outside

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Report reviewed and accepted
Fire Hazard: A portion of the parcel is mapped Fire Hazard, however none of the Proposed building sites are within the mapped area.
Slopes: N/A
Env. Sen. Habitat: Sandhills Habitat
Grading: 240 cubic yards cut; 150 cubic yards fill
Tree Removal: 11 trees proposed to be removed (12 shown on plans - one tree fell during recent storm)
Scenic: Not visible from a designated scenic corridor
Drainage: Not located within any drainage district – Engineered drainage plans required with building application
Traffic: No significant impact to existing traffic conditions
Roads: Existing roads adequate
Parks: Park fees are required
Sewer Availability: Yes
Water Availability: Yes
Archeology: Mapped Resource; site assessment revealed no resources on site

Services Information

Urban/Rural Services Line: Inside Outside
Water Supply: San Lorenzo Valley Water District
Sewage Disposal: City of Scotts Valley
Fire District: Scotts Valley Fire Protection District
Drainage District: None

History

The subject parcel was created as a result of Minor Land Division L-434, which was approved in 1974 and created four lots of 34,380 (subject parcel), 36,830, 82,573 and 74,994 net square feet. Building Permit 41986 was issued in 1975 to construct a 1,900 square foot single family dwelling on the subject parcel. The recorded Parcel Map for MLD L-434 in May of 1974 includes a "non-access" easement at the southern boundary of the subject parcel, along Tan Oak Lane (now Tan Oak Drive) and extending to the middle of Tan Oak.

The staff report accompanying the 1974 MLD does not contain any language explaining the intent of this easement, and no specific conditions of approval were created to indicate the basis for inclusion of the non-access easement. There is no evidence that the easement was ever offered to the County or that the County otherwise has any ownership interest in the easement. Based on historical aerial photographs and asphalt that remains currently, it is apparent that two driveways have historically provided access to the subject property from Tan Oak Drive. Therefore, a proposal to abandon the non-access easement is included in the subject application so that two new driveways can be constructed in the vicinity of the former driveways in order to restore access from Tan Oak Drive to two of the proposed lots.

Project Setting

The subject property is located in a single-family residential neighborhood located on the edge of the Urban Service Line and bordering the City of Scotts Valley. The property is approximately 34,480 net square feet in area and is located in the San Lorenzo Valley Planning area. The subject parcel is located on the corner of Tan Oak and Twin Pines Drive, both of which are private roads. The lot is characterized by mildly sloping terrain and is currently developed with a one-story single-family dwelling and attached garage. Zoning in the immediate area is single family residential (R-1-10) and the lots in the immediate vicinity range from about one-third to two-thirds of an acre in size.

Approximately 38 trees, primarily Ponderosa pines, are located on the site and 11 trees are proposed for removal in order to accommodate the new building sites. Although 12 trees are depicted on the project plans, one specimen was lost during recent storms. The entire parcel is located within the Zayante Sandhills sensitive habitat.

Minor Land Division

The applicant proposes to divide a 1-acre property into three single-family residential parcels of approximately 12,038 net developable square feet (Parcel A) 10,000 net developable square feet (Parcel B) and 10,000 net developable square feet (Parcel C). As discussed above, the subject proposal includes the elimination of the non-access easement, which will allow Parcels A and B to obtain access from Tan Oak Drive. Parcel C will continue to use the existing access from Twin Pines Drive. This configuration creates a corridor access lot, which is necessary in order to avoid a third driveway within the Sandhills habitat. Two new dwellings are proposed for Parcels A and B. The existing residence on Parcel A will be relocated to occupy Parcel C.

The subject property has a General Plan land use designation of R-UL (Urban Low Density Residential). This designation allows a density range of 4.4 to 7.2 units per net developable acre, which corresponds to lot size requirements of 6,000 to 10,000 square feet of net developable parcel area. The objective of this land use designation is to provide for low-density residential development in areas within the Urban Services Line that have a full range of urban services. Due to the presence of sensitive Sandhills Habitat throughout the entire parcel and the associated limit of 15,000 square feet of disturbance that is allowed, the lot cannot be further divided to accommodate an additional lot of 10,000 net developable square feet. Therefore, the proposed configuration provides the maximum density possible for this parcel.

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

Specifically, both proposed dwellings and the existing dwelling meet the required setbacks of 20 feet from the front parcel boundary/edge of right of way, 15 feet from the rear parcel boundary and 10 and 10 feet from the side parcel boundaries. The proposed dwellings and the existing structures will cover less than 40 percent of their respective lot areas, and the proposed floor area ratio for each is less than 50 percent. The proposed building footprint and lot coverage calculations are shown on the architectural plans included as Exhibit A.

Design Review

The proposed land division is located inside the Urban Services Line and is subject to the provisions of County code Chapter 13.11 (Site, Architectural and Landscape Design review). The primary purpose of the Design Review ordinance, as defined by General Plan Objective 8.1 (Quality Design), is to achieve functional high quality development through design review policies that recognize the diverse characteristics of the area, maintain design creativity, and preserve and enhance the visual fabric of the community. Architectural drawings, floor plans, and a perspective drawing for the proposed new home is included as part of Exhibit A.

Two single family dwellings are proposed to be constructed on the two of the three new parcels, with the existing single-family dwelling to be moved to occupy the third newly created lot. The new homes will be two stories in height and will contain 4 bedrooms. The residences will be approximately 2,945 square feet (Parcel B) and 2,994 square feet (Parcel A). Parcel C will contain the existing single-story residence that is roughly 1,900 square feet in area.

Proposed building materials include stucco, stone pillars, and wood shake roofs. The buildings include varied roof planes, with porches and bay window elements, and individual carriage-style garage doors. These features and the variety of proposed materials and colors will break up the visual bulk and mass of the proposed structures. The use of wood and stone will also provide a less stark contrast to the surrounding rural, natural feel of the lot and surrounding neighborhood, while also providing continuity with the existing dwelling on the property that is to be retained. The surrounding parcels are developed with single-family dwellings of similar size and mass, with two-story houses on three sides of the subject parcel, averaging about 3,000 square feet in area.

The lot is moderately wooded and the majority of the existing trees on the parcel are proposed to be retained, additionally softening the impact of the new dwellings. To assure that the final construction is in conformance with the information submitted, a condition of approval has been included that requires all construction to be as presented in Exhibit A.

Biotic Resources

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

- The project site is located within the IPHCP area,
- The development incorporates appropriate minimization measures to reduce impacts,
- The subject parcel is no larger than 1.5 acres,
- The proposed project is residential in nature; and
- The proposed project involves no more than 15,000 square feet of total ground disturbance.

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

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

The ground disturbance associated with the subject proposal has been designed to minimize new impact. This was achieved by reusing existing driveway and pavement and preserving key Ponderosa pine trees. The total area of new disturbance proposed by this Minor Land Division is 14,784 square feet and therefore is eligible for purchase of credits to mitigate the disturbance to sensitive habitat. The project geotechnical engineer has provided a plan review letter (Attachment to Exhibit D) which verifies that the Disturbance Envelope shown on the project plans accurately reflects all of the necessary site work required in order to perform the earthwork reflected in the geotechnical report recommendations.

Although efforts were undertaken to design the lot configuration in such a way as to further minimize the proposed disturbance, the location of the parcel on a corner, the required setbacks and the location of the existing structures, driveways and other hardscape limited the range of feasible site design alternatives. It is also important to note that staff consulted with Dr. Jodi McGraw, an expert in Sandhills habitat, in order to craft site design alternatives that would minimize the removal of Ponderosa pine trees on the property. According to Dr. McGraw, the retention of younger tree specimens is preferable, particularly on a site where the older trees are near the end of their life cycle. It is apparent that some of the larger Ponderosa specimens, such as the 48" tree located on Parcel B, are quite old and, as such provide less long-term habitat value than the saplings located along the

periphery of the lot. The choice of Ponderosa pine retention was another important consideration in crafting the final site design.

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

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

Grading, Drainage and Utilities

The proposed land division and associated improvements will require site grading and preparation, primarily to provide engineered fill beneath foundations, pavements and slabs-on-grade. The proposed grading consists of 240 cubic yards of excavation and 150 cubic yards of fill with the remaining 90 cubic yards to be spread on site. This is a relatively modest amount of grading and these volumes are considered to be reasonable and appropriate.

Drainage patterns on the subject property are largely unchanged and the sandy soils will help to ensure that the majority of stormwater runoff will be allowed to percolate on site. The subject parcel has historically been developed with several structures, decking and other hardscape features that will be removed. The new driveways are to be constructed with pervious paving. On balance there will be no increase in the amount of impervious surface on the site.

Downspouts on the new and relocated dwellings will discharge onto splash blocks that deflect the runoff away from the house. Graded swales at the perimeter of each house direct runoff toward the existing, 12" culvert that runs along the east side of Tan Oak Drive. Given that the soil on site is quite sandy, the majority of the runoff will percolate on site before reaching the culvert. A paved drainage swale is proposed at the southern edge of the existing asphalt driveway in order to divert stormwater runoff away from the garage.

Fifteen-inch culverts will be installed beneath the two driveways that take access from Tan Oak. Pre-development runoff rates will be maintained on the site and no change in the runoff rates due to this proposal is anticipated. However, stormwater calculations provided by the project engineer indicate that existing culverts at two downstream properties are undersized for a 25-year storm event. Therefore, additional improvements on the site are recommended in order to increase the capacities at the downstream culverts. The project is conditioned to increase the size of the berm at the edge of the two driveways on site in order to reduce the velocity and amount of runoff into the culvert that is contributed by the new driveways.

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A drainage and utility easement is proposed to be dedicated along the northern and western edges of the subject parcel, within the rights-of-way associated with both Twin Pines Drive and Tan Oak Drive. The Drainage Section of the Department of Public Works has reviewed and approved the preliminary drainage plans. Water, sewer, and electrical utilities are available to the subject property. The existing water mains are capable of handling the additional volume necessary to serve the proposed development. Will serve letters from the City of Scotts Valley and the San Lorenzo Valley Water District are included as Exhibit F.

Archaeological Resources

An archeological survey was performed at the site by Pacific Legacy on April 30, 2008 (Attachment to Exhibit D). The project archeologist did not find any resources on site and determined that the proposal would not have any adverse impacts on any cultural resources. The report was reviewed and accepted by Environmental Planning staff.

Environmental Review

Environmental review is required for the proposed project per the requirements of the California Environmental Quality Act (CEQA). The project was reviewed by the County's Environmental Coordinator on September 28, 2009. A preliminary determination to issue a Negative Declaration with Mitigations (Exhibit D) was made on October 5, 2009. The mandatory public comment period expired on November 9, 2009, with no comments received.

The environmental review focused on the potential impacts of the project on the Zayante Sandhills habitat. The environmental review process generated a mitigation measure that will reduce potential impacts from the proposed development and adequately address these issues.

Conclusion

All required findings can be made to approve this application. The project is consistent with the General Plan in that the project constitutes a residential use, a density that is compatible with the existing density and intensity of land use in the surrounding area, and is consistent with the zoning designation of the subject parcel. The project, as conditioned, will not have a significant effect on the environment.

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

Staff Recommendation

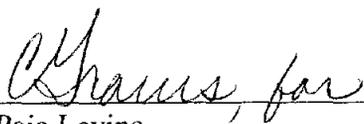
- **APPROVAL** of Application Number **08-0534**, based on the attached findings and conditions.
- Certification of the Mitigated Negative Declaration completed in accordance California Environmental Quality Act.

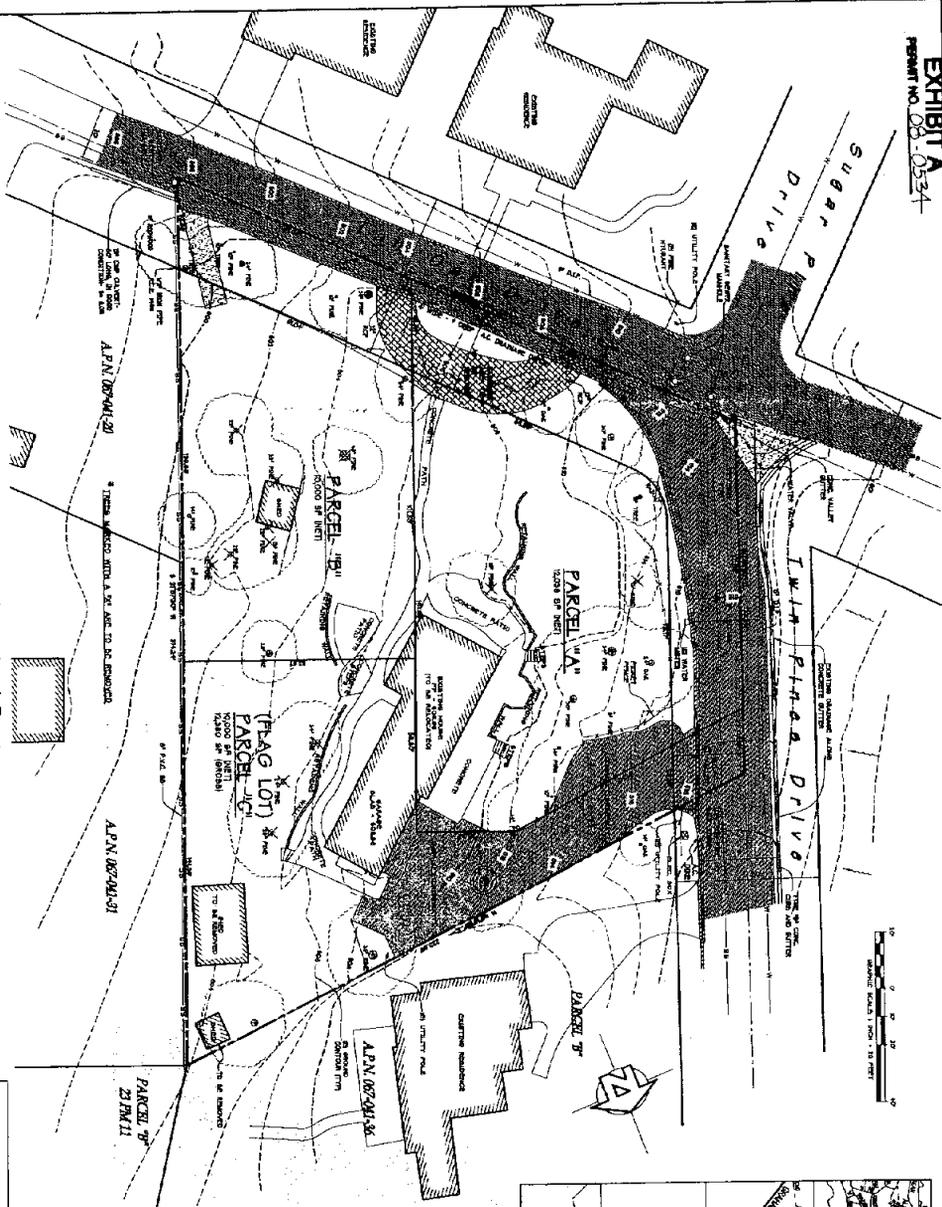
Application #: 08-0534
APN: 067-041-24
Owner: Larry & Karen Busch

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

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

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Report Reviewed By: 
Paia Levine
Principal Planner, Development Review
Santa Cruz County Planning Department



Existing Impervious Surface

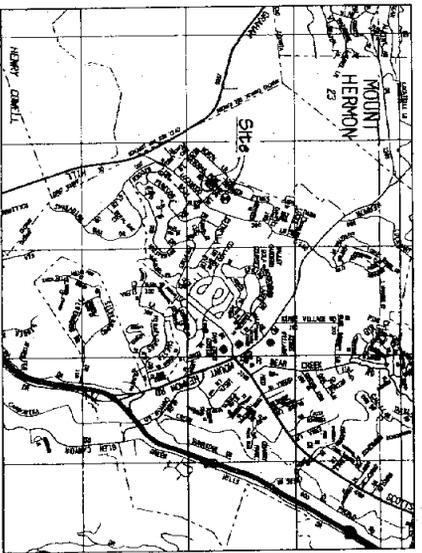
Existing Site Conditions & Tentative Map

Proposed Minor Land Division

Base of Berthies

Demolition

NO.	DESCRIPTION	DATE
1	PRELIMINARY SITE CONDITIONS & TENTATIVE MAP	05/08/08
2	PRELIMINARY SITE SHADING & DRAINAGE PLAN	05/08/08
3	CHASS-SECTIONS & PROFILES	05/08/08
4	EXISTING FEATURES WITHIN 100 FOOT RAS	05/08/08
5	PRELIMINARY EMISSION CONTROL PLAN	05/08/08



Project Data

Owner: LARRY BUECH
Land Use Consultants: IFLAND ENGINEERS
Existing Zoning: R-1
Proposed Use: SINGLE-FAMILY RESIDENCE
Water Supply: SAN JOAQUIN VALLEY WATER SERVICE
Sewer Disposal: CITY OF SCOTTS VALLEY
Gas & Electric: PACIFIC GAS & ELECTRIC
Area Subject to Inundation: NONE
Total Area of Site: 1.5333 AC. / 66,444 SQ. FT.
NOTE: THE EXISTING IMPERVIOUS SURFACE AND PROPOSED IMPERVIOUS SURFACE ARE SHOWN ON THIS MAP. THE EXISTING IMPERVIOUS SURFACE IS SHOWN IN HATCHED PATTERN. THE PROPOSED IMPERVIOUS SURFACE IS SHOWN IN SOLID BLACK. THE EXISTING IMPERVIOUS SURFACE IS SHOWN IN HATCHED PATTERN. THE PROPOSED IMPERVIOUS SURFACE IS SHOWN IN SOLID BLACK. THE EXISTING IMPERVIOUS SURFACE IS SHOWN IN HATCHED PATTERN. THE PROPOSED IMPERVIOUS SURFACE IS SHOWN IN SOLID BLACK.

Sheet Index

SHEET	DESCRIPTION
T01	EXISTING SITE CONDITIONS & TENTATIVE MAP
T02	PRELIMINARY SITE SHADING & DRAINAGE PLAN
T03	CHASS-SECTIONS & PROFILES
T04	EXISTING FEATURES WITHIN 100 FOOT RAS
T05	PRELIMINARY EMISSION CONTROL PLAN

NOTE

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ATTACHMENT

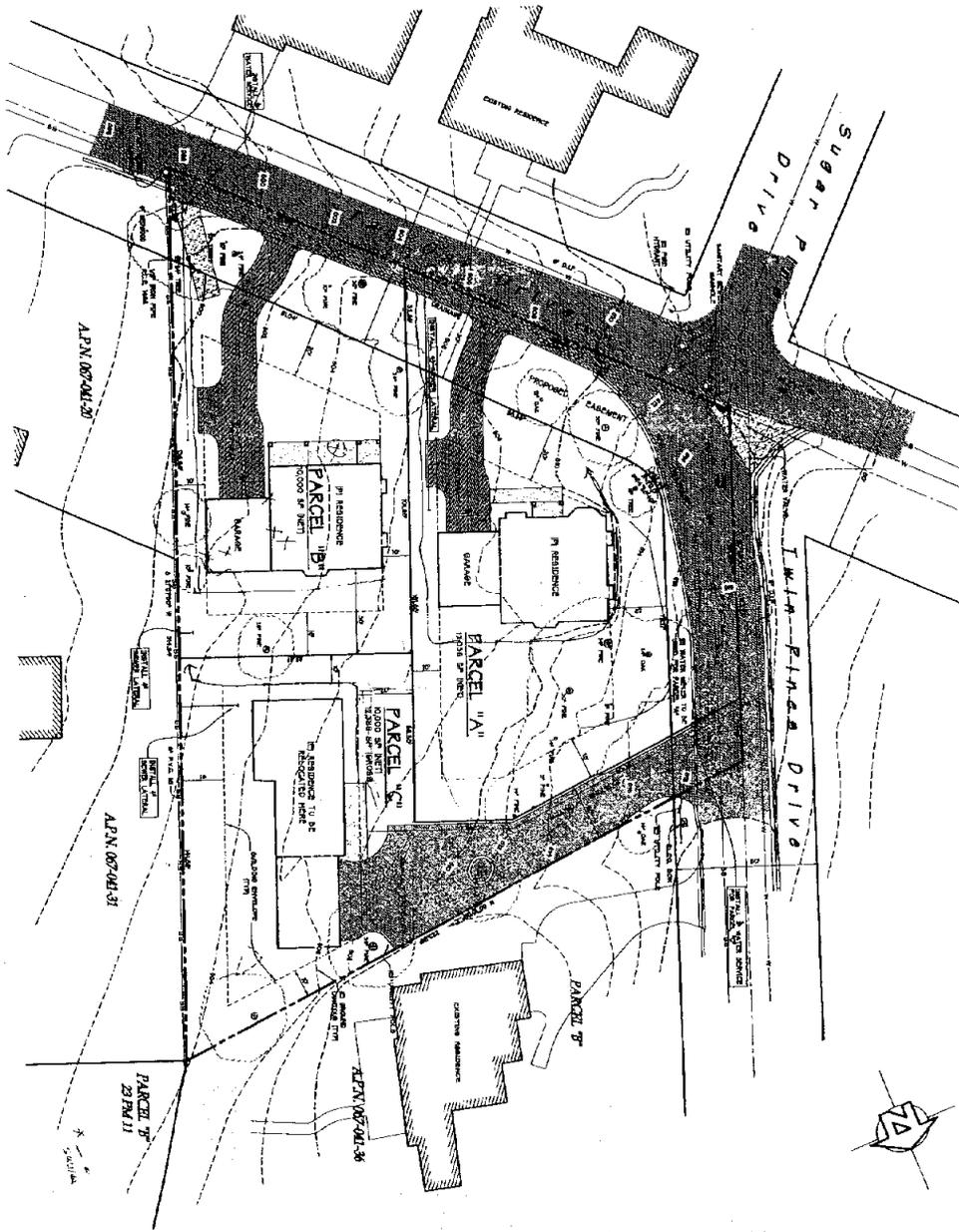
M.L.D. #08-0534			
APN: 087-041-24			
DATE	DESIGN	DRAWN	CHECKED
05/08/08	GLEN	RYAN	TM1

Existing Site Conditions & Tentative Map
Larry Buech
 587 Twin Pines Drive, Scotts Valley, California



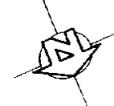
8887 BROWN AVE. SUITE 200
 SAN JOSE, CA 95128
 TEL: (408) 434-1111
 FAX: (408) 434-1112
 WWW.IFLANDENGINEERS.COM

APPROVED	DATE
DATE	DATE
DATE	DATE



Proposed Minor Land Division
 Preliminary Site & Utility Plan

SCALE: 1" = 20'



General Notes

1. ALL SETBACKS AND DISTANCES ARE SHOWN ON THIS PLAN.
2. ALL SETBACKS AND DISTANCES ARE TO BE MAINTAINED UNLESS OTHERWISE NOTED.
3. THE OTHER THESE OTHER DISTANCES ARE TO BE MAINTAINED.

Proposed or Existing Improvements

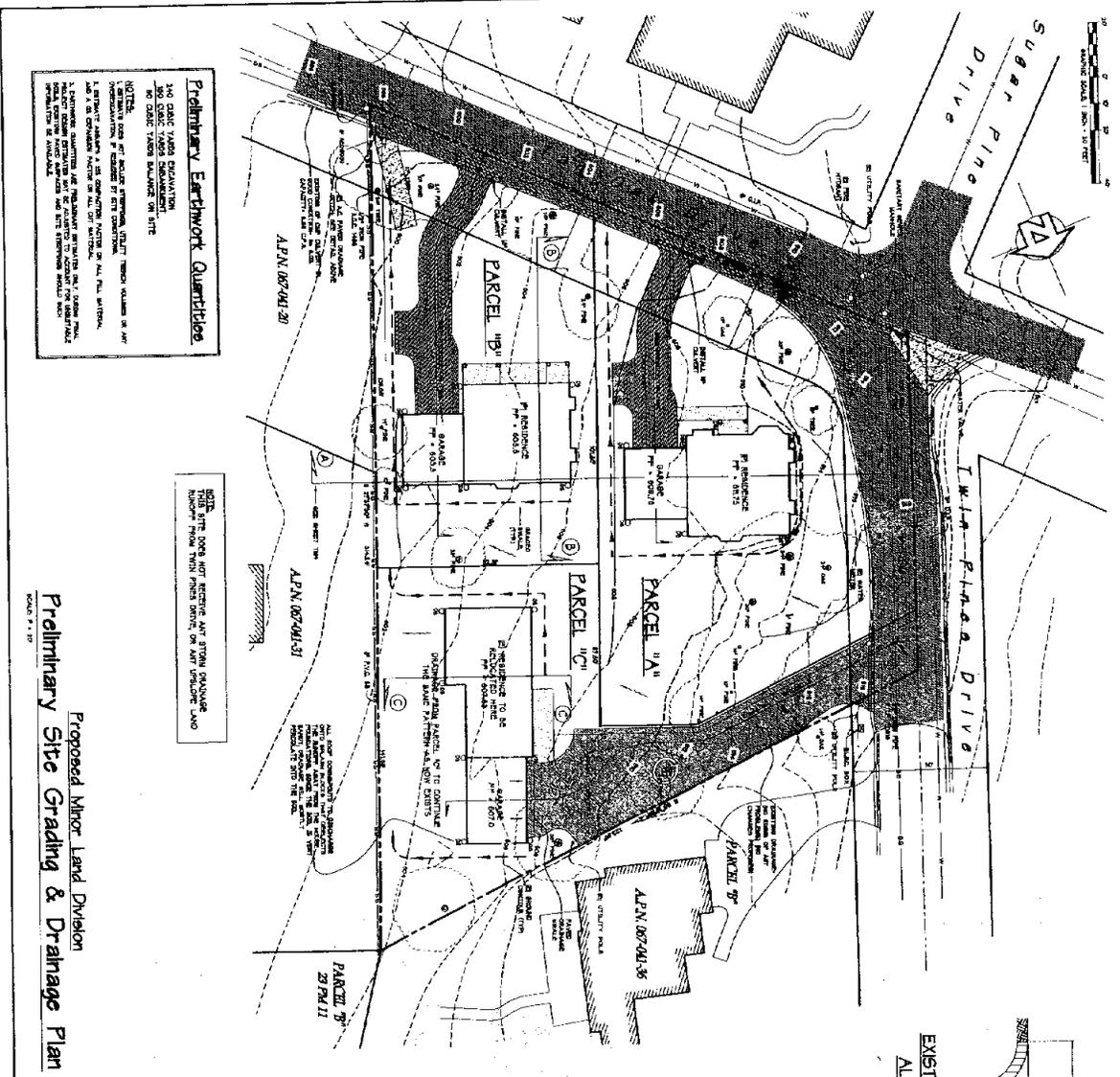
Address: 587 Twin Pine Drive, Scotts Valley, CA 95067
 Parcel No. 008-0524
 Project: Preliminary Site & Utility Plan
 Date: 05/08/08

NOTES

1. ALL DIMENSIONS ARE TO BE CONSTRUCTED WITH PREVIOUS FINISH.



PROPOSED MINOR LAND DIVISION Preliminary Site Grading & Drainage Plan Larry Buech		IFLAND ENGINEERS CIVIL ENGINEERING • LAND PLANNING • SITE/CIVIL DESIGN	587 TWIN PINE DRIVE, SUITE 100 SCOTTS VALLEY, CA 95067 (408) 438-4212 FAX (408) 438-4213 WWW.IFLANDENGINEERS.COM	DATE: _____ REVISION: _____ APPROVED: _____ CHECKED: _____
M.L.D. #08-0524 APN 057-047-24	SHEET: TM2 OF: _____			DATE: _____ DATE: _____



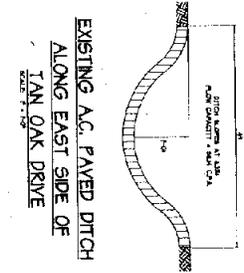
Preliminary Earthwork Quantities

1.00 CUBIC YARD GRADATION
 1.00 CUBIC YARD EXCAVATION
 1.00 CUBIC YARD BALANCE ON SITE

NOTES:
 1. EXISTING QUANTITIES AND PRELIMINARY QUANTITIES ARE BASED ON THE ASSUMPTIONS AND CONDITIONS SET FORTH IN THE SPECIFICATIONS AND NOTES TO THESE PLANS.
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NOTE:
 THIS SITE PLAN AND GRADING AND DRAINAGE PLANS ARE PART OF THE PRELIMINARY SITE GRADING AND DRAINAGE PLAN AS PART OF THE PERMIT PROCESS.

Proposed Minor Land Division
Preliminary Site Grading & Drainage Plan
 SCALE: 1" = 20'



Grading Notice

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES AND AGENCIES OF THE STATE OF CALIFORNIA.
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Storm Drainage Calculations

ROOF COVERAGES: 1.00
 ASPHALT DRIVEWAY: 1.00
 SITE AREA: 1.00

Pre-Development Run-off

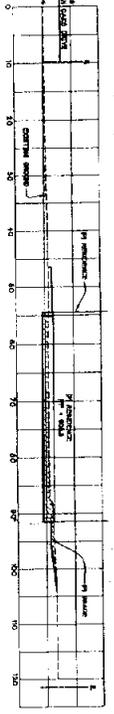
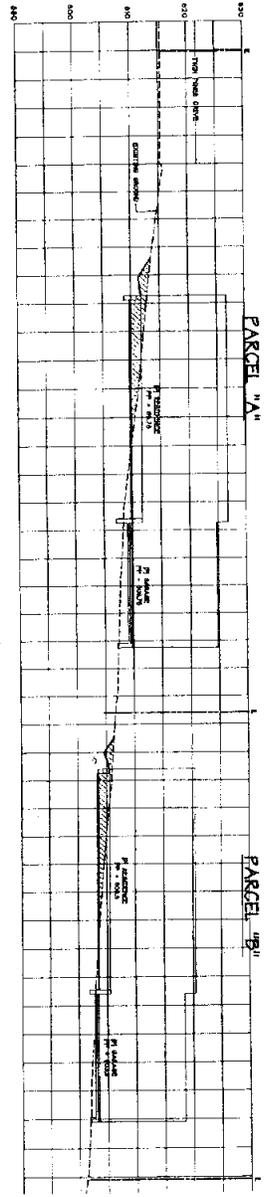
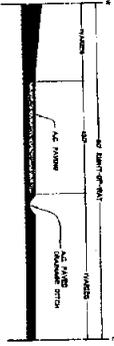
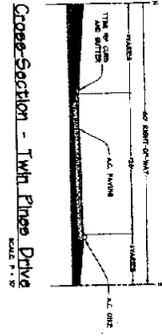
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Post-Development Run-off

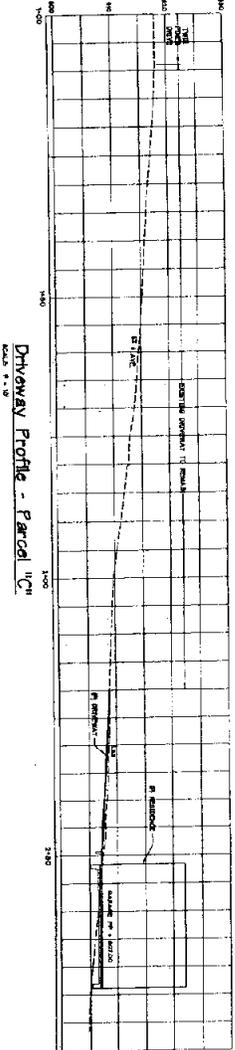
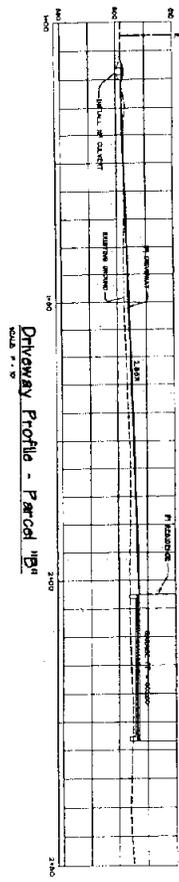
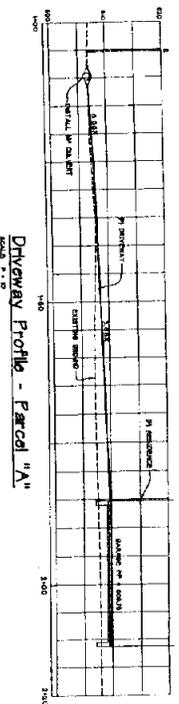
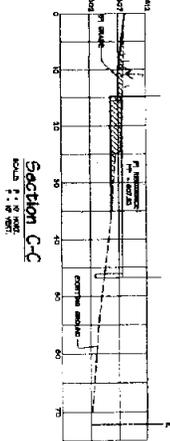
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 1.00

NOTE:
 A DETAILED SITE GRADING AND DRAINAGE PLAN SHALL BE SUBMITTED TO THE LOCAL AGENCIES AND AGENCIES OF THE STATE OF CALIFORNIA AS PART OF THE PERMIT PROCESS.

PROPOSED MINOR LAND DIVISION		Preliminary Site Grading & Drainage Plan		IFLAND ENGINEERS CIVIL ENGINEERING • LAND PLANNING • STRUCTURAL DESIGN 587 TWIN PINE DRIVE, SCOTTS VALLEY, CALIFORNIA 95067 TEL: (408) 431-1313 FAX: (408) 431-1314 WWW.IFLANDENGINEERS.COM	DATE: 05/08/08 DESGN: GJCH DRAWN: REC	APPROVE: [Signature] DATE:
MLD #08-0534	APN 067-041-24	Lary Buech 587 Twin Pine Drive, Scotts Valley, California			SHEET: T.M.3 OF: 05/048	DATE:



Section B-B
SCALE: 1" = 20'



**Proposed Minor Land Division
Cross-sections & Profiles**

PROPOSED MINOR LAND DIVISION

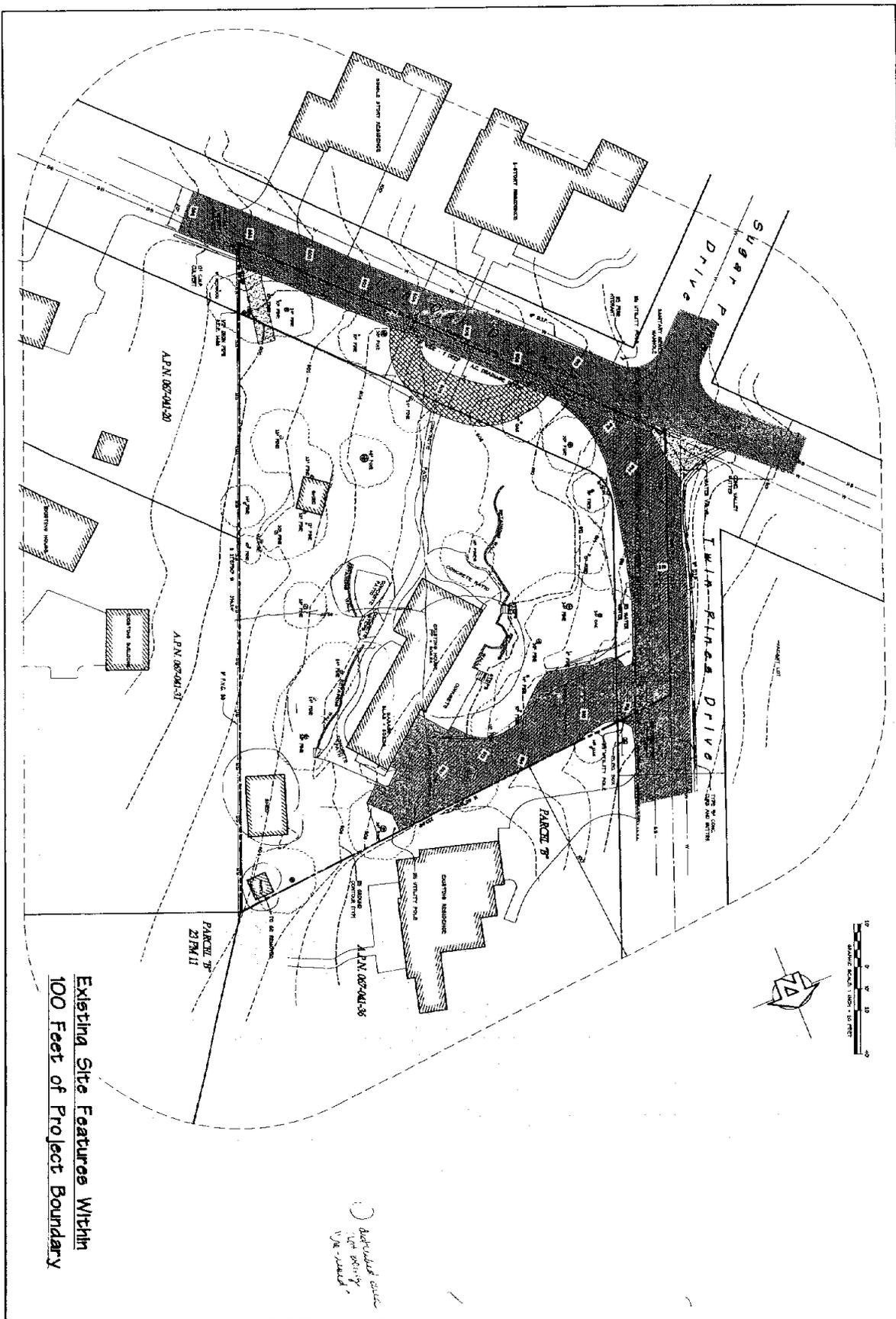
Cross-sections & Profiles
Larry Buech
587 Twin Pine Drive, Scotte Valley, California

IFLAND ENGINEERS
2222 SOQUI AVENUE, SUITE 100
SANTA CRUZ, CA 95060
TEL (831) 458-4313
FAX (831) 458-1743
www.iflandengineers.com

APPROVED: _____
DATE: _____
SCALE: _____

MLD #QB-0534
APN 067-041-34
DATE: 08/08/09
DESIGN: SLEN
DRAWN: REC
TM/4
JOB NO. 05048

EXHIBIT A



Existing Site Features Within
100 Feet of Project Boundary

*Proposed minor land division
see sheet
108-0534*

PROPOSED MINOR LAND DIVISION

SHEET TMS	MLD #08-0534
	APN 067-041-24
DATE	DESIGN
08/05/08	STAN

Existing Feature Within 100 Feet
Larry Buech
587 Twin Pine Drive, Scotts Valley, California

IFLAND ENGINEERS
CIVIL ENGINEERING • LAND PLANNING • STRUCTURAL DESIGN

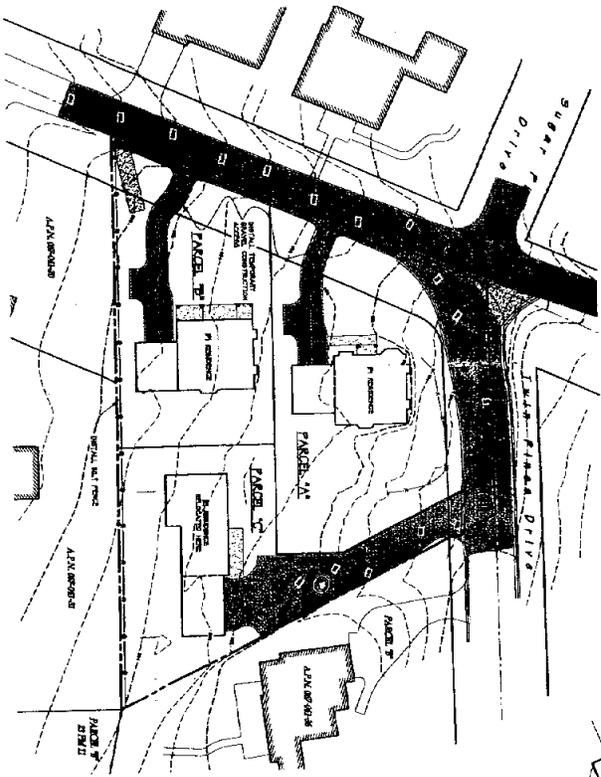
2200 ROCKY AVE, SUITE 102
SCOTTS VALLEY, CA 95060
TEL (831) 431-8870
FAX (831) 431-1782
www.iflandengineers.com

APPROVED:	REVISION:	DATE:



Erosion Control Notices

1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE EROSION CONTROL MEASURES ARE NO LONGER REQUIRED. THE EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE EROSION CONTROL MEASURES ARE NO LONGER REQUIRED.
2. UNDESIRABLE EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE EROSION CONTROL MEASURES ARE NO LONGER REQUIRED.
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Preliminary Erosion Control Plan
SCALE AS SHOWN

NOTES:

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CONSTRUCTION SPECIFICATIONS:

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INSPECTION AND MAINTENANCE:

1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE EROSION CONTROL MEASURES ARE NO LONGER REQUIRED.

SECTION A-A

TEMPORARY Gravel Construction Access

1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE EROSION CONTROL MEASURES ARE NO LONGER REQUIRED.

CONSTRUCTION SPECIFICATIONS:

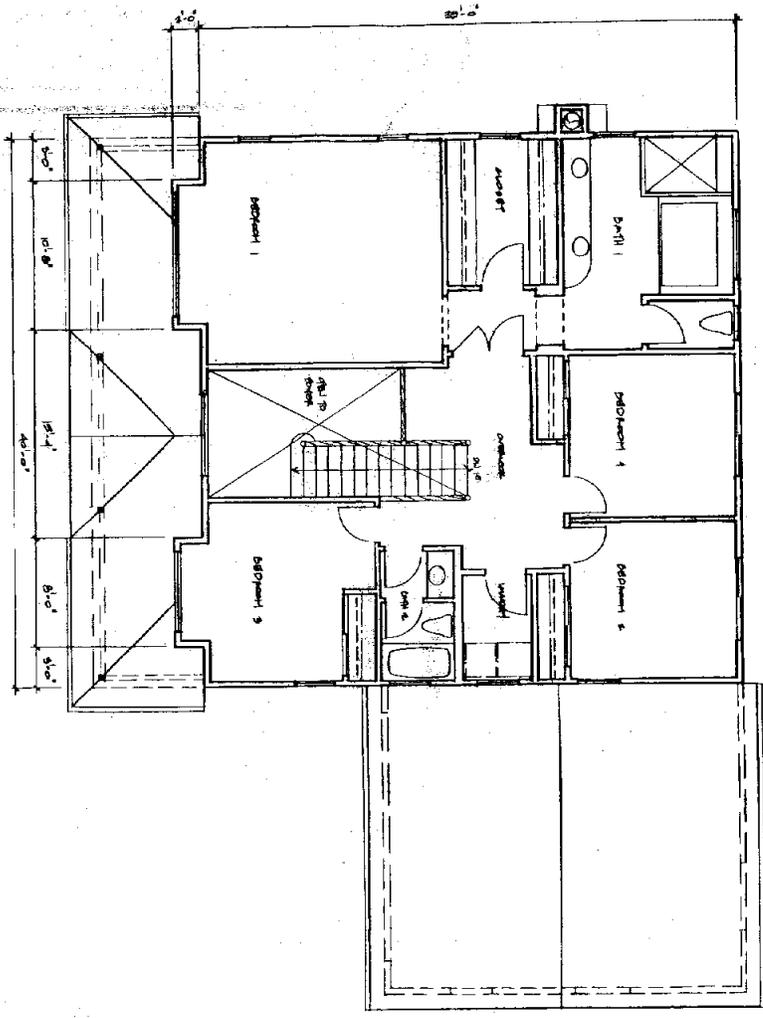
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PROPOSED MINOR LAND DIVISION		Preliminary Erosion Control Plan		IFLAND ENGINEERS CIVIL ENGINEERING • LAND PLANNING • RESTORATION DESIGN	
M.L.D. #08-0524 APR 067-045-24		Larry Busch		8505 BOONVILLE AVENUE, SUITE 100 SAN JOSE, CALIFORNIA 95128 TEL: (415) 947-1100 FAX: (415) 947-1100 WWW.IFLANDENGINEERS.COM	
DATE: 04/08/08	DESIGN: ELEN	687 Twin Pines Drive, Scotts Valley, California		APPROVED: _____ REVISION: _____ DATE: _____	
SHEET: TM6			REF NO. / REV.	DATE	

Ⓐ SECOND FLOOR PLAN 1450 SCARLETT RD
1/4" = 1'-0"



SHEET NUMBER

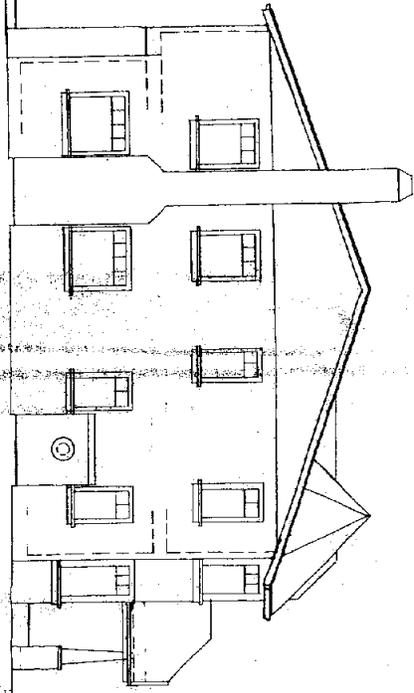
Parcel B
887 Twin Pines Drive
Scotts Valley, CA 95066
APN 087-041-24
031.487.1301

SECOND FLOOR PLAN

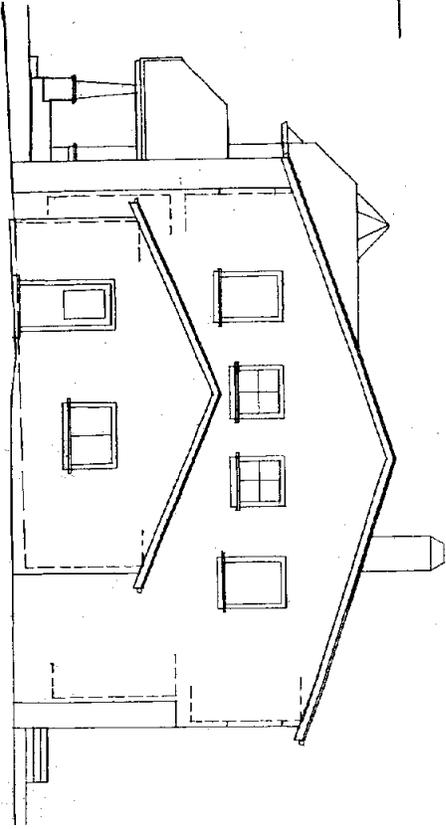
ARCHITECT
James Reed Stroup
87 Jardin Place
Pleasant Hill, CA 94523
925.363.3677

SUBMITTED
SEP 06

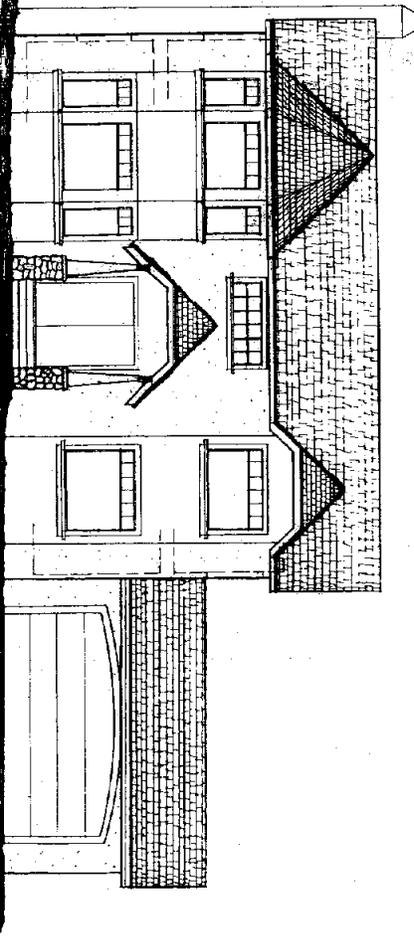
2 WEST SUBDIVISION - LEFT SIDE
VIEW



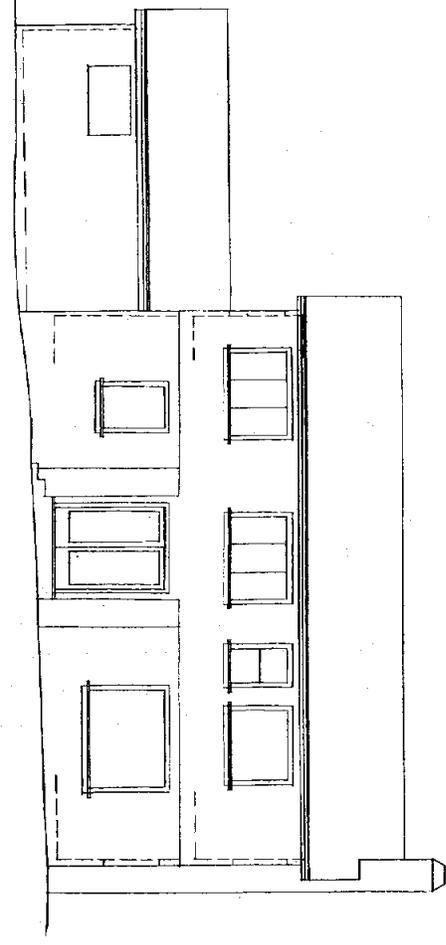
D EAST SUBDIVISION - LEFT SIDE
VIEW



A SOUTH SUBDIVISION - FRONT
VIEW



B NORTH SUBDIVISION - REAR
VIEW



SHEET NUMBER
OF

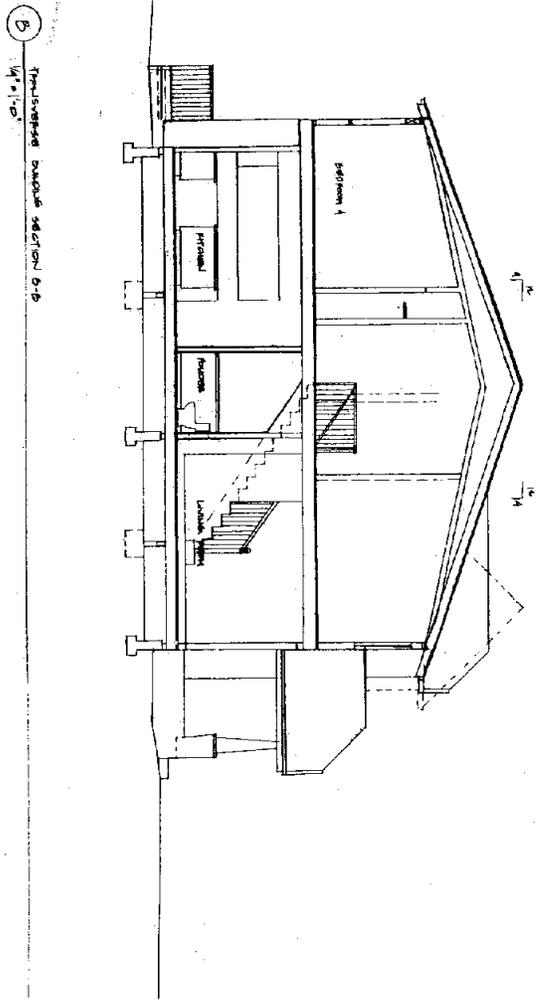
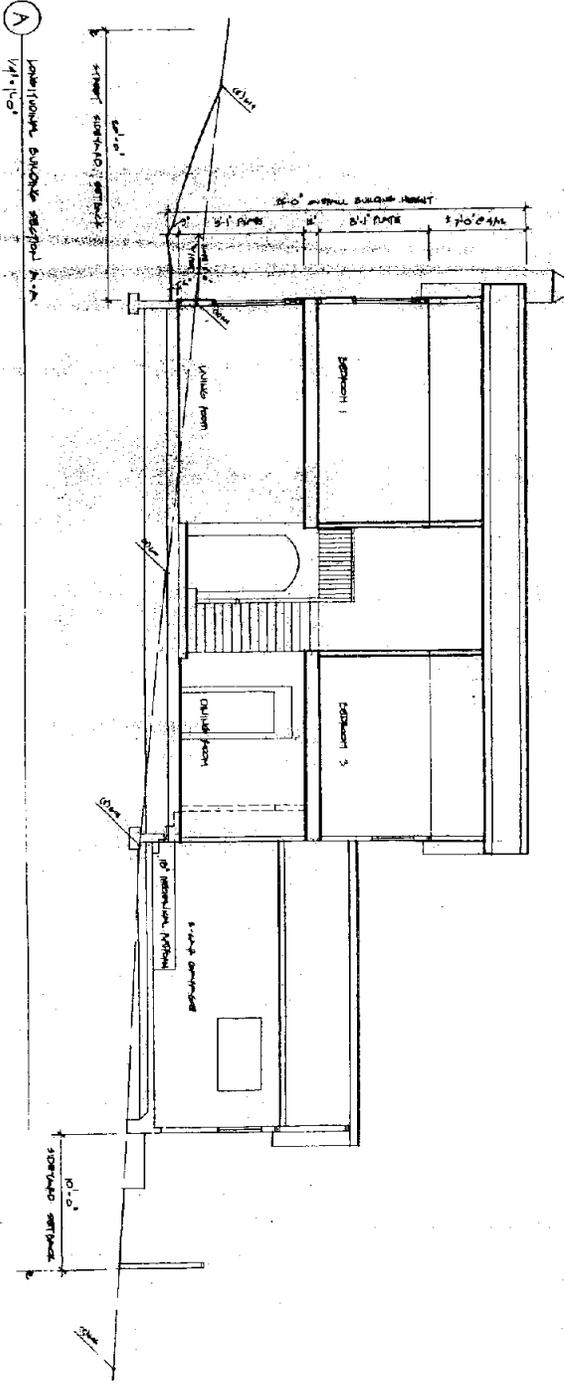
Parcel A
557 Twin Pines Drive
Scotts Valley, CA 95066
APN 087-041-34
031.457.1251

EXTERIOR ELEVATIONS

ARCHITECT
James Reed Group
87 Jordin Place
Pleasant Hill, CA 94523
925.263.3677

SUBMITTED
SEP 06

EXHIBIT A



SHEET NUMBER
OF

Parcel A
667 Twin Pines Drive
Scotts Valley, CA 95080
APN 067-041-34
031.467.1331

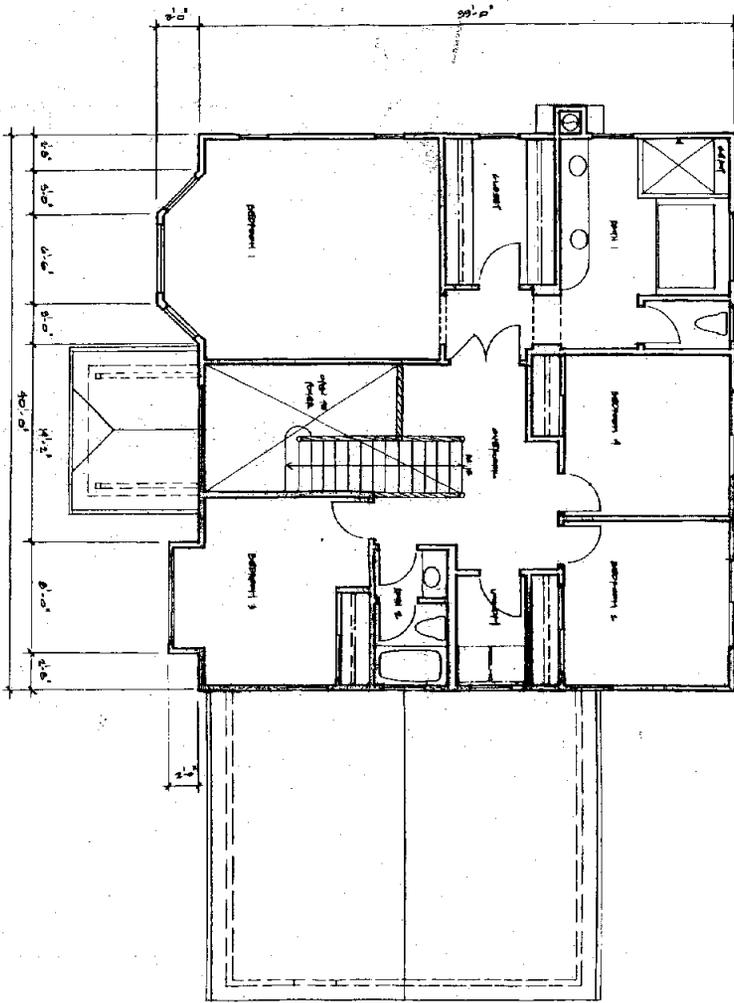
BUILDING SECTIONS

ARCHITECT
James Reed Group
87 Justin Place
Pleasant Hill, CA 94523
925.963.3677

SUBMITTED
06/01/06

A

SECOND FLOOR PLAN, HSB SOURCE UNIT
1/4" = 1'-0"



SHEET NUMBER

Parcel A
667 Tule Place Drive
Covina, CA 91724
APN 025-025-001
024, 025, 026

SECOND FLOOR PLAN

ARCHITECT
Jerrin Reed Group
67 Jessie Place
Pasadena, CA 91765
951.288.2077

SUCHINHO
SER 06

EXHIBIT A

Subdivision Findings

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

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

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

This finding can be made in that the project creates three new single-family residential parcels and is located in the Residential-Urban Low Density General Plan designation which allows a density of one dwelling per each 6,000 to 10,000 square feet of net developable parcel area. As proposed, the three parcels of 12,038, 10,000 and 10,000 square feet of net developable area are consistent with the General Plan in that the proximity and extent of the sensitive Sandhills habitat and the R-1-10 zoning of the parcel make the creation of an additional parcel infeasible. Therefore the proposed land division is consistent with the goal of development at the highest possible density.

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

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

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

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

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

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

This finding can be made, in that no challenging topography affects the building site, technical reports prepared for the property conclude that the site is suitable for residential development, and the proposed parcels are properly configured to allow development in compliance with the required site standards. While environmental constraints exist on the site, the provision of mitigation fees and support of the Zayante Sandhills Mitigation Bank will allow land with superior habitat value to be acquired and maintained for the overall benefit of the protected species. Less than 15,000 square feet of the 43,560 square foot parcel will be disturbed by the proposed Minor Land Division.

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

This findings can be made, in that although the design of the proposed division of land and improvements will cause environmental damage to Sandhills habitat, the impact will be mitigated by the use of the Zayante Sandhills Conservation Bank, as allowed by the Board of Supervisors on January 15, 2008. Because Sandhills habitat is limited geographically and has become highly fragmented, on-site mitigation of development activities has proven to be ineffective in many cases, such as the relatively small subject parcel. The use of the bank provides a vehicle for contributing towards protecting and managing larger blocks of higher quality habitat off-site. The Low-Effect Habitat Conservation Plan (HCP) prepared for this project (Attachment 7 of Exhibit E) states: "Habitat conditions at the project site are degraded due to the presence and abundance of various non-native plants. Without the HCP, habitat quality would probably continue to decline and no prime habitat at the conservation bank would be acquired to benefit the covered species."

The project was reviewed by the County's Environmental Coordinator on September 28, 2009. A preliminary determination to issue a Negative Declaration with Mitigations (Exhibit D) was made on October 5, 2009. The mandatory public comment period expired on November 9, 2009, with no comments received.

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

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

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

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

While the provision of access to Parcels B and C relies upon the elimination of the non-access easement established by the 1974 Minor Land Division, no clear public purpose is served from continuing to exclude access from Tan Oak Drive. There is no documentation to establish the basis for creating the non-access easement, nor is it clear what entity currently holds title to the easement. In that existing paved driveways exist along the portion of the property encumbered by the easement, it seems clear that the lot has gained access from Tan Oak Drive in the past. No significant impact is foreseen by allowing two new driveways to utilize Tan Oak Drive for access. The non-access strip is proposed to be eliminated as part of the approval of the land division.

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

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

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

This finding can be made, in that the existing and new dwellings are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood and natural environment. The surrounding neighborhood contains single-family dwellings of similar size and design as those proposed. The proposed residential development is compatible with the architecture in the neighborhood and the surrounding pattern of development through its use of elements such as varied roof planes, porches as well as building materials which include stucco, stone pillars, and wood shake roofs. These features and the variety of proposed materials and colors will break up the visual bulk and mass of the proposed structures. The use of wood and stone will also provide a less stark contrast to the surrounding rural, natural feel of the lot and surrounding neighborhood, while also providing continuity with the existing dwelling on the property that is to be retained.

Development Permit Findings

1. **That the proposed location of the project and the conditions under which it would be 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 result in inefficient or wasteful use of energy, 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 designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the uniform Building Code, and the County building ordinances to insure the optimum in safety and the conservation of energy and resources. The proposed residential development will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

2. **That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with 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 in nature, unit densities are consistent with the standards for the R-1-10 (Single-family residential – 10,000 square fee minimum) zone district where the project is located, and the project will be consistent with the required site standards of the R-1-10 zone district.

Section 16.32.090 of the County ordinance required that conditions of approval be determined through environmental review in order to mitigate significant environmental impacts. A Mitigated Negative Declaration has been prepared for this proposal and approved by the Environmental Coordinator. Mitigation measures will be included as conditions of approval and include payment of fees into the Zayante Sandhills Conservation Bank and restoration of degraded habitat areas through the removal of exotic invasive plant species.

3. **That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.**

This finding can be made, in that the project creates three new single-family lots and is located in the Residential, Urban Low General Plan designation. This designation allows a density range of 4.4 to 7.2 Units per Net Developable Acre (UNDA), which corresponds to lot size requirements of 6,000 to 10,000 net square feet. The objective of this land use designation is to provide low-density residential development in areas within the Urban Services Line, which have a full range of urban services, or in Urban or rural Services Line areas currently developed to an urban density. As proposed, the three units occupy 12,038, 10,000 and 10,000 net square feet. Although the lots sizes place them at a level below the density range for Urban Low Residential, the sensitive Sandhills Habitat on the site limits the amount of additional net developable acreage. The subject parcel cannot

be feasibly divided in a way that would accommodate an additional lot and therefore the proposal is consistent with the General Plan.

The proposed residential development will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the residential development will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air and open space in the neighborhood.

The proposed land division will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed residential development will comply with the site standards for the R-1-10 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

The land division, as conditioned, will be consistent with General Plan regarding infill development, in that the proposed residential development will be consistent with the pattern of surrounding development, and the design of the proposed structures are consistent with the character of similar developments in the surrounding area.

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

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the expected level of additional traffic generated by the proposed project is anticipated to be two additional peak vehicle trips per day (one per additional single-family dwelling), the proposed increase will not adversely impact existing roads and intersections in the surrounding area.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the project site is located in a mixed neighborhood developed with a wide variety of styles ranging from conventional California ranch houses to Neo-Tudor and Neo-Colonial. The two proposed dwellings exhibit a contemporary craftsman style, using stone porch supports and wood-shingled siding, which fits within the existing range of architectural types in the neighborhood. At one new home per 10,000-12,000 square feet lot, the proposed residential development is consistent with the land use intensity and density of the neighborhood.

6. 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 to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. The surrounding neighborhood contains low-density single-family residential development in a rural setting. The dwellings immediately to the north and south of the subject property are between 3,400 and 3,600 square feet in area and are both two-story houses on lots of between 10,000 and 19,000 square feet. The remaining dwellings in the neighborhood are a mixture of one and two-story on lots of between 15,000 and 20,000 gross square feet. The proposed dwellings fit within the range of size and mass represented in the surrounding neighborhood.

In terms of architectural design, the neighborhood is developed with a wide range of styles ranging from conventional California ranch houses to Neo-Tudor and Neo-Colonial. The two proposed dwellings exhibit a contemporary craftsman style, using stone porch supports and wood- shingled siding, which fits within the existing range of architectural types in the neighborhood.

Conditions of Approval

Land Division Permit 08-0534

Applicant: Larry Busch

Property Owner: Larry & Karen Busch

Assessor's Parcel Number: 067-041-24

Property Address and Location: 587 Twin Pines Drive, on the northeast corner of Twin Pines Drive and Tan Oaks Drive about 225 feet northwest of the intersection with Lockwood Lane.

Exhibit A: Tentative Map prepared by Ifland Engineers, dated 05/05/09; Landscape Plans prepared by Gregory Lewis Landscape Architect, dated 11/14/06; Architectural and floor plans prepared by James Reed Stroupe, Architect, dated 09/06.

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

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

- A. The Parcel Map shall be in general conformance with the approved Tentative Map and shall conform to the conditions contained herein. All other State and County laws relating to improvement of the property, or affecting public health and safety shall remain fully applicable.
- B. This land division shall result in no more than three (3) single-family residential lots.
- C. The minimum lot size shall be 10,000 square feet of net developable land per parcel.
- D. The following items shall be shown on the Parcel Map:
 1. The approved Building Envelopes, located according to the approved Tentative Map. Building Envelopes shall meet the minimum setbacks for the R-1-10 zone district of 20 feet for front yards, 10 feet for side yards, 15 feet for rear yards.
 2. Development Envelopes, located according to Sheet 1 of Exhibit A, which do not exceed the cumulative 15,000 square foot limitation allowed for use of the Zayante Sandhills Conservation Bank ("the Bank").
 - a. Development Envelopes shall delineate **all** areas of proposed disturbance, including but not limited to grading, paving, trenching, and construction. Proposed demolition of existing structures or paved areas shall not be counted toward the 15,000 square foot limitation.
 - b. Provide calculations supporting the area included in the development envelope. Proposed demolition of existing structures or paved areas shall not be counted toward the 15,000 square foot limitation but must be shown in the disturbance calculations.
 3. Show the net area of each lot to the nearest square foot.
 4. Evidence of review and approval by the local fire agency.
 5. The Parcel Map shall note that development as defined in County Code Section 16.32 (Sensitive Habitat Ordinance) including land clearing, tree removal, non-native landscaping or other disturbance is prohibited outside of the designated Development Envelope, with the exception of vegetation removal as directed by the approved Restoration Plan.
 6. All easements and dedications to be recorded prior to recordation of the Parcel Map.
 7. Include a note referencing the Declaration Regarding Biotic Resources.

- E. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
1. New parcel numbers for all of the parcels must be assigned by the Assessor's Office prior to application for a Building Permit on any parcel created by this land division.
 2. Lots shall be connected for water service to San Lorenzo Valley Water District. All regulations and conditions of the water district shall be met.
 3. Lots shall be connected for sewer service to the City of Scotts Valley Public Works Department. All regulations and conditions of the Scotts Valley Public Works Department shall be met.
 4. In order to mitigate impacts to the biological resources on the site, the applicant shall submit a Restoration Plan for review and approval by Environmental Planning staff prior to recordation of the Parcel Map. The Restoration Plan must include provisions for the removal of all invasive non-native species on the entire site, and the restoration of areas disturbed during demolition and/or moving of the existing house. All planting outside of the 15,000 square feet of allowed disturbance shall be with native Zayante Sandhills species only.
 5. All future construction on the lots shall conform to the Architectural Floor Plans and Elevations as stated or depicted in Exhibit "A" and shall also meet the following additional conditions:
 - a. Notwithstanding approved preliminary architectural plans, all future development shall comply with the development standards for the R-1-10 zone district. The development of any lot shall not exceed 40 % lot coverage, or 50 % floor area ratio, or any other standards as may be established for the zone district.
 - b. No fencing shall exceed three feet in height within the required front yard setback and no fencing shall exceed six feet in height within the required side and rear yard setbacks of any of the three parcels. No fences shall be permitted outside of the development envelope.
 - c. All future development and use of the subject parcel is subject to the following restrictions:
 - i. No site disturbance other than demolition and restoration work shown on the approved Restoration Plan shall be permitted outside of the Development Envelope shown on the Parcel Map.

- ii. Vegetation clearing, grading, foundation work and other ground-disturbing activities shall be minimized during the growing season of the Ben Lomond spineflower and adult flight period of the Mount Hermon June Beetle (May 15 – Aug 15)
 - iii. Removal of native Sandhills plant species, except for the Ponderosa pines as shown on Exhibit A, shall be prohibited outside of the Development Envelope and minimized within the Development Envelope. Revegetation of disturbed areas outside of the Development Envelope shall be with native Sandhills plant species.
 - iv. Landscaping shall exclude the use of turf grass, weed matting, aggregate and mulch.
 - v. During construction, areas that have been recently disturbed by development shall be covered every evening during flight season (May 15 – Aug 15) with tarps, landscape fabric or other similar material.
 - vi. Permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of surrounding areas. Light sources that do not attract insects (e.g. yellow or sodium vapor bulbs) shall be used if outdoor lighting is necessary (e.g. security or handicap access structures).
- d. Plans must include elevations specifying proposed colors and materials for the single-family dwelling. The colors must be muted earth tones.
 - e. For any structure proposed to be within 2 feet of the 28-foot maximum height limit for the zone district, 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 that clearly depict the total height of the proposed structure.
6. The final plans shall be consistent with the recommendations of the accepted updated soils report for this project. A plan review letter from the project soils engineer must be submitted, which states that the final building, grading and drainage plans are in conformance with the recommendations made in the

report.

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

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

- A. Submit a letter of certification from the Tax Collector's Office that there are no outstanding tax liabilities affecting the subject parcels.
- B. Provide a recorded maintenance agreement for shared drainage improvements. Include maintenance recommendations for each facility and identify who is responsible for the maintenance of each facility on the final plans.
- C. Record a Declaration of Restriction Regarding Biotic Resources. The Declaration shall reference the three (3) newly created parcels.
- D. Purchase mitigation credits from the Zayante Sandhills Conservation Bank for the proposed total disturbance area as shown on the Tentative Map. Bring a copy of the receipt verifying purchase of credits prior to map recordation.
- E. Meet all requirements of the City of Scotts Valley Public Works Department as stated in the Department's letter dated June 21, 2006 including, without limitation, the following standard conditions:
 1. Submit and secure final approval of an engineered sewer improvement plan providing sanitary sewer service to each parcel.
 2. Pay all necessary bonding, deposits, and connections fees.
- F. Meet all requirements and pay fees to the County Department of Public Works,

Drainage. Drainage fees will be assessed on the net increase in impervious area.

1. Provide documentation that the existing impervious areas are either permitted or were installed prior to 1969 for impact analysis and possible fee credit.
- G. All new utilities shall be underground. All facility relocation, upgrades or installations required for utilities service to the project shall be noted on the construction plans. All preliminary engineering for such utility improvements is the responsibility of the owner/applicant. Pad-mounted transformers shall not be located in the front setback or in any area visible from public view unless they are completely screened by walls and/or landscaping (underground vaults may be located in the front setback). Utility equipment such as gas meters and electrical panels shall not be visible from public streets or building entries. Backflow prevention devices must be located in the least visually obtrusive location. All underground utilities must be located inside the Development Envelope.
- H. Engineered improvements plans for all water line extensions required by San Lorenzo Valley Water District shall be submitted for the review and approval of the water agency.
- I. All requirements of the Scotts Valley Fire Protection District shall be met.
- J. Park dedication in-lieu fees shall be paid for two 4-bedroom dwellings. This fee is currently \$1,000 per bedroom, but is subject to change.
- K. Child Care Development fees shall be paid for two 4-bedroom dwellings. This fee is currently \$109 per bedroom, but is subject to change.
- L. Submit one reproducible copy of the Parcel Map to the County Surveyor for distribution and assignment of temporary Assessor's Parcel Numbers and situs address.
- M. Submit and secure approval of engineered improvement plans from the Department of Public Works and the Planning Department for all roads, curbs and gutters, storm drains, erosion control and other improvements required by the Subdivision Ordinance, noted on the tentative map and/or specified in these conditions of approval. A subdivision agreement backed by financial securities (equal to 150% of engineer's estimate of the cost of improvements), per Sections 14.01.510 and 511 of the Subdivision Ordinance, shall be executed to guarantee completion of this work. Improvement plans shall meet the following requirements:
1. All improvement plans shall be prepared by a registered civil engineer and shall meet the requirements of the County of Santa Cruz Design Criteria. Plans shall also comply with applicable provisions of the California Building Code regarding accessibility.

2. Complete drainage details including existing and proposed contours, plan views and centerline profiles of all driveway improvements, complete drainage calculations, downspout configuration, construction and design details for semi-pervious surfaces, as specified in comments by Travis Rieber updated July 15, 2009. Specifically, the project engineer shall demonstrate how proposed drainage improvements will prevent adverse impacts to downstream properties as a result of undersized downstream culvert.
3. Submit complete engineered grading and drainage plans that include limits of grading; existing and proposed contours (including topography 50 feet beyond the project work limits); plan views and centerline profiles of all driveway improvements; existing and proposed drainage facilities, including details of all drainage features; complete drainage calculations and elevations of drainage features.
 - a. Identify on the plans the person responsible for the maintenance of any common drainage facilities.
 - b. The final engineered grading plans and drainage plans shall conform to all recommendations of the geotechnical report prepared by CMAG Engineering, dated November 4, 2008. Final plans shall reference the project geotechnical report and geotechnical engineer and must comply with the following:
 - i. A plan review letter from the project geotechnical engineer is required.
 - ii. Include notes on the grading plan that clearly show the existing trees to be retained.
 - iii. Include lateral extents of overexcavation on the grading plans.
 - iv. The final grading plans shall be reviewed and approved by the Environmental Planning Section of the Planning Department and the Department of Public Works.
 - v. The grading plans must reference the development envelope with a note including a requirement for a preconstruction meeting with Environmental Planning staff. The extent of site disturbance must be delineated and approved by Environmental Planning staff prior to the start of any earthwork activities.

4. A detailed erosion control plan shall be submitted which includes the following: a clearing and grading schedule that limits grading to the period of April 15 – October 15, clearly marked development envelope, revegetation specifications, silt barrier locations, temporary road surfacing and construction entry stabilization, sediment barriers around drain inlets, etc. This plan shall be integrated with the improvement plans that are approved by the Department of Public Works, and shall be submitted to Environmental Planning staff for review and approval prior to recording the Parcel map. The erosion control plan must include the following:
 - a. An effective sediment barrier (silt fence) placed along the perimeter of the disturbance area, located downslope of where drainage paths flow, and maintenance of the barrier.
 - b. Spoils management that prevents loose material from clearing, excavation, and other activities from entering any drainage facility.
 - c. A note indicating that all construction vehicles shall utilize the existing driveway to access construction areas.
 - d. Nothing in the erosion control plan shall conflict with protection of Sandhills habitat.
 - e. The seed mix for all temporary and/or permanent seeding and mulching shall be approved by the project biologist and shall be free of non-native, invasive species.
 5. Acquire all rights of way and easements and make all dedications thereof as needed for construction of required improvements. Any and all costs incurred by the county of Santa Cruz to obtain title to any property in the event that condemnation proceedings are necessary to implement this condition, shall be paid in full by the applicant/developer prior to the recording of the Parcel Map.
- N. Submit a final Landscape Plan for the entire site for review and approval by the Planning Department. The landscape plan shall specify plant species, size and location, and shall include irrigation plans, which meet the following criteria and must conform to all water conservation requirements of the local water district and the following conservation regulations:
1. Turf shall not be allowed.
 2. Plant Selection. All proposed plant species outside of the Development Envelope shall consist of Sandhills species. Landscaping within the

Development Envelope shall consist of native plant species.

3. The use of insecticides, herbicides, or any toxic chemical substance is prohibited, except when an emergency has been declared, when the sensitive habitat is threatened, or when a substantial risk to public health and safety exists.
- IV. Prior to any land clearing, earthwork or other site disturbance or site work on the subject property the following conditions shall be met:
- A. The applicant shall convene a pre-construction meeting on the site. The following parties shall attend: the project engineer, project contractor supervisor, Environmental Planning staff, grading contractor, Department of Public Works Grading Inspector, and the project biologist, All protection fencing delineating the development/development envelope shall be inspected at this time.
 - B. The project biologist shall supervise placement of the temporary construction fencing demarcating the disturbance boundaries prior to the pre-construction meeting. Appropriate signage shall be placed along the fencing that states "Protected Biotic Habitat Area - Do Not Disturb."
 - C. A biologist/entomologist approved by the U.S. Fish & Wildlife Service shall act as Construction Monitor with the following duties:
 1. Oversee the installation and maintenance of temporary fencing and signage.
 2. Conduct an educational session with all construction workers prior to the individuals working on site.
 3. Observe all grading activities.
 4. Routinely inspect the work site to ensure all protection measures are being implemented.
- V. All future construction within the property shall meet the following conditions:
- A. All required land division improvements shall be installed and inspected prior to final inspection clearance for any new structure on the new lots.
 - B. No land disturbance shall take place prior to issuance of building permits (except the minimum required to install required improvements, provide access for County required tests or to carry out work required by another of these conditions).
 - C. No land clearing, grading, or excavating shall take place between October 15 and April 15 unless the Planning Department approves a separate winter grading approval. This approval may or may not be granted.

- D. No land disturbance shall be permitted to encroach beyond the approved Development Envelope shown on the Parcel Map, with the exception of the demolition/moving of existing structures and/or paved areas subject to restoration.
- E. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100 shall be observed.
- F. All construction shall comply with the current California Building Code.
- G. To minimize noise, dust and nuisance impacts of surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor comply with the following measures during all construction work:
 - 1. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation; and
 - 2. Each day it does not rain, wet all exposed soil frequently enough to prevent significant amounts of dust from leaving the site.
 - 3. The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall record the name, phone number, and nature of all complaints received regarding the construction site. The disturbance coordinator shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
- H. Construction of improvements shall comply with the requirements and recommendations made in the accepted geotechnical report prepared CMAG Engineering, dated November 4, 2008. The geotechnical engineer shall inspect the completed project and certify in writing that the improvements have been constructed in conformance with all recommendations made in the report prepared for the site.
- I. The project engineer who prepared the grading plans must certify in writing that the grading was completed in conformance with the approved tentative map and/or engineered improvement plans.

- J. Prior to building permit approval the applicant shall submit color and material samples, building plans and shall record a Declaration of Restriction Regarding Biotic Resources. The individual Declarations for the three newly created parcels will replace the Declaration recorded with the Parcel Map.

VI. Operational Conditions

- A. All future development on lots created by this land division shall comply with the requirements set forth in Condition II.E. above.
- B. The parcels shall be maintained and used in accordance with the following operational conditions:
 - 1. All activities defined as development in County Code Section 16.32 (Sensitive Habitat Ordinance) including land clearing, tree removal, non-native landscaping or other disturbance are prohibited on the residential parcels outside of the designated Development Envelope, without the review and approval of the Planning Director.
 - 2. Any modification to the Development Envelope shall be processed as an amendment to this Land Division, unless the project biologist and Environmental Planning staff agree that the modification is minor and will not negatively impact Sandhills habitat and will cause the disturbance on the three lots, taken together, to exceed 15,000 square feet, in which case such modification may be processed as a Minor Variation.
- C. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including Approval revocation.

VII. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend,

indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.

- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
- E. Within 30 days of the issuance of this development approval the Development Approval Holder shall record in the office of the Santa Cruz County Recorder and agreement, which incorporates the provisions of this condition, or this development approval shall become null and void.

VIII. Mitigation Monitoring Program

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

A. Mitigation Measure A. Condition IV.A

Monitoring Program: Prior to any disturbance applicant shall convene a pre-construction meeting on the site. The following parties shall attend: The project engineer, project contractor supervisor, Santa Cruz County Environmental Planning staff, and project biologist(s). Results of pre-construction biotic surveys will be collected at that time and all protection measures shall be inspected.

B. Mitigation Measure B(a) Condition III.D and IV.A

Monitoring Program: The applicant shall provide proof of purchase of credits from the Zayante Sandhills Conservation Bank for an area no less than 15,000 square feet (0.344 acres). The proof of purchase shall be presented to Environmental Planning staff at the pre-construction meeting.

C. Mitigation Measure B(b) Condition IV.C.3

Monitoring Program: A biologist approved by the U.S. Fish & Wildlife Service shall act as a construction monitor with the following duties:

1. Oversee the installation and maintenance of temporary fencing and signage;
2. Conduct an educational session with all construction workers prior to the individuals commencing work on site;
3. Routinely inspect the work site to ensure all protection measures are being implemented.

D. Mitigation Measure B(c) Condition II.E.5 (c)(v)

Monitoring Program: Ground-disturbing work shall be scheduled outside of the mid-May through Mid-August adult activity period to the greatest extent feasible, and the project entomologist shall be on site to observe all grading activities.

E. Mitigation Measure B(d) Condition II.E.5(c)(vi)

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

F. Mitigation Measure C Condition III.E.4

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

Application #: 08-0534
APN: 067-041-24
Owner: Larry & Karen Busch

G. Mitigation Measure D Condition III.C

Monitoring Program: Declarations of Restriction Regarding Biotic Resources shall be recorded for both the Minor Land Division and on the newly created parcels to ensure that no additional site disturbance occurs on the property in perpetuity. In addition to limiting future disturbance, the Declaration will include all measures specified in the Habitat Conservation Plan prepared for the site.

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

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

cc: County Surveyor

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Paia Levine
Principal Planner

Robin Bolster-Grant
Project Planner

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



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

NEGATIVE DECLARATION AND NOTICE OF DETERMINATION

08-0534 587 TWIN PINES DRIVE, SCOTTS VALLEY APN: 067-041-24
Proposal to divide an existing 43,532 square foot parcel into three parcels of 12,038, 10,000, and 10,000 net square feet, relocate an existing one-story single-family dwelling, construct two new two-story dwellings of 2,945, and 2,994 square feet, grade about 240 cubic yards and eliminate a non-access easement recorded with a Parcel Map in 1974. Requires a Minor Land Division, Residential Development Permit, Design Review, Preliminary Grading Approval and a Soils Report Review. Project located on the northeast corner of Twin Pines and Tan Oaks Drive about 225 feet northwest of the intersection with Lockwood Lane (587 Twin Pines Drive).
ZONE DISTRICT: R-1-10 (Single-family Residential – 10,000 square foot minimum lot size)
APPLICANT/OWNER: Larry and Karen Busch
STAFF PLANNER: Robin Bolster-Grant, phone 454- 5357
Email: pln111@co.santa-cruz.ca.us

ACTION: Negative Declaration with mitigations
REVIEW PERIOD ENDS: November 6, 2009

The Planning Commission will consider this project at a public hearing. The time, date and location have not been set. When scheduling does occur, these items will be included in all public hearing notices for the project.

Findings:

This project, if conditioned to comply with required mitigation measures or conditions shown below, will not have significant effect on the environment. The expected environmental impacts of the project are documented in the Initial Study on this project, attached to the original of this notice on file with the Planning Department, County of Santa Cruz, 701 Ocean Street, Santa Cruz, California.

Required Mitigation Measures or Conditions:

None
 Are Attached

Review Period Ends: November 6, 2009

Date Approved By Environmental Coordinator: Nov. 17, 2009

Claudia Slater
CLAUDIA SLATER
Environmental Coordinator
(831) 454-5175

If this project is approved, complete and file this notice with the Clerk of the Board:

NOTICE OF DETERMINATION

The Final Approval of This Project was Granted by _____

on _____ No EIR was prepared under CEQA.
(Date)

THE PROJECT WAS DETERMINED TO NOT HAVE SIGNIFICANT EFFECT ON THE ENVIRONMENT.
Date completed notice filed with Clerk of the Board: _____



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

NOTICE OF ENVIRONMENTAL REVIEW PERIOD

SANTA CRUZ COUNTY

APPLICANT: Larry and Karen Busch

APPLICATION NO.: 08-0534

APN: 067-041-24

The Environmental Coordinator has reviewed the Initial Study for your application and made the following preliminary determination:

XX Negative Declaration
(Your project will not have a significant impact on the environment.)

XX Mitigations will be attached to the Negative Declaration.

 No mitigations will be attached.

 Environmental Impact Report
(Your project may have a significant effect on the environment. An EIR must be prepared to address the potential impacts.)

As part of the environmental review process required by the California Environmental Quality Act (CEQA), this is your opportunity to respond to the preliminary determination before it is finalized. Please contact Matt Johnston, Environmental Coordinator at (831) 454-3201, if you wish to comment on the preliminary determination. Written comments will be received until 5:00 p.m. on the last day of the review period.

Review Period Ends: November 6, 2009

Robin Bolster-Grant, staff planner

Phone: (831) 454-5357

Date: October 7, 2009

NAME: Busch Land Division
APPLICATION: 08-0534
A.P.N: 067-041-24

NEGATIVE DECLARATION MITIGATIONS

- A. In order to ensure that the mitigation measures and conditions set forth in the proposed project description are communicated to the various parties responsible for constructing the project, prior to any disturbance the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: The project engineer, project contractor supervisor, Santa Cruz County Environmental Planning staff, and project biologists.
- B. In order to avoid and minimize impacts to Sandhills Habitat and protected species, the following measures shall be implemented:
- a) The applicant shall provide proof of purchase of credits from the Zayante Sandhills Conservation Bank for an area no less than 15,000 square feet (0.344 acres). The proof of purchase shall be presented to Environmental Planning Staff at or before the pre-construction meeting.
 - b) A biologist approved by the US Fish and Wildlife Service shall act as Construction Monitor with the following duties:
 - 1. Oversee the installation and maintenance of temporary fencing and signage;
 - 2. Conduct an educational session with all construction workers prior to the individuals working on site;
 - 3. Routinely inspect the work site to ensure all protection measures are being implemented.
 - 4. Assess the characteristics of all excavated material for suitability of use on-site. If material is unsuitable to be kept on-site, it shall be taken off site to an approved landfill.
 - c) In order to avoid and minimize construction impacts to the Mount Herman June beetle during construction, ground-disturbing activities (e.g. vegetation clearing, grading, digging etc.) shall not occur during the adult flight season of the Mount Hermon June beetle (May 15-Aug15) to the extent feasible.
 - d) In order to minimize long-term impacts to the Mount Herman June beetle, permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of surrounding areas. Light sources that do not attract insects (e.g. yellow or sodium vapor bulbs) shall be used if outdoor lighting is necessary (e.g. security or handicap access structures).
- C. In order to mitigate impacts to the biological resources on the site the applicant shall submit a Restoration Plan for review and approval by Environmental Planning staff prior to the recordation of the Parcel Map. The Restoration Plan must include provisions for the removal of all invasive non-native species on the entire site and the replacement planting outside of the 15,000 square feet of allowed disturbance with native Zayante Sandhills species.
- D. In order to ensure long-term protection of the Sandhills Habitat on the subject parcel, a condition of approval for this project shall require a Declaration of Biotic Restriction to be recorded to ensure that no additional site disturbance occurs on the property in perpetuity. In addition to limiting future disturbance, the Declaration will include all measures specified in the Habitat Conservation Plan prepared for the site.



Environmental Review Initial Study

Application Number: **08-0534**

Date: September 28, 2009
Staff Planner: Robin Bolster-Grant

I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

APPLICANT: Larry and Karen Busch APN: 067-041-24

OWNER: Larry and Karen Busch SUPERVISORAL DISTRICT: 5th (Stone)

LOCATION: The project is located on the northeast corner of Twin Pines Drive and Tan Oak Drive, about 225 feet northwest of the intersection with Lockwood Lane (587 Twin Pines Drive)

SUMMARY PROJECT DESCRIPTION: This is a proposal to divide a 43,532 square foot parcel into three parcels of 12,038, 10,000 and 10,000 net square feet, relocate an existing one-story single family dwelling, construct two new two-story dwellings, grade about 240 cubic yards and to eliminate a non-access easement recorded with a 1974 Parcel Map.

ALL OF THE FOLLOWING POTENTIAL ENVIRONMENTAL IMPACTS ARE EVALUATED IN THIS INITIAL STUDY. CATEGORIES THAT ARE MARKED HAVE BEEN ANALYZED IN GREATER DETAIL BASED ON PROJECT SPECIFIC INFORMATION.

- | | |
|--------------------------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Hydrology/Water Supply/Water Quality | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Public Services & Utilities |
| <input type="checkbox"/> Energy & Natural Resources | <input type="checkbox"/> Land Use, Population & Housing |
| <input type="checkbox"/> Visual Resources & Aesthetics | <input type="checkbox"/> Cumulative Impacts |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Growth Inducement |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Transportation/Traffic | |

County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor, Santa Cruz CA 95060

DISCRETIONARY APPROVAL(S) BEING CONSIDERED

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

NON-LOCAL APPROVALS

No other agencies are required to issue permits or authorizations

ENVIRONMENTAL REVIEW ACTION

On the basis of this Initial Study and supporting documents:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the attached mitigation measures have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.


Matt Johnston

10/5/09
Date

For: Claudia Slater
Environmental Coordinator

II. BACKGROUND INFORMATION

EXISTING SITE CONDITIONS

Parcel Size: 43,532 square feet

Existing Land Use: Low density residential

Vegetation: Area in the vicinity of the proposed project is vegetated with Ponderosa pines, Coast live oaks, madrone and other native and non-native understory.

Slope in area affected by project: 43,532 square feet (100%) 0 - 15%

Nearby Watercourse: Camp Evers Creek, a perennial stream, is located about 2,200 feet to the northeast and Eagle Creek, also a perennial stream, is located about 2,800 feet to the south.

ENVIRONMENTAL RESOURCES AND CONSTRAINTS

Groundwater Supply: Mapped

Water Supply Watershed: Mapped

Groundwater Recharge: Mapped

Timber or Mineral: No Mapped Resource

Agricultural Resource: No Mapped Resource

Biologically Sensitive Habitat: Mapped
Zayante Sandhills habitat and other protected plant and animal species

Fire Hazard: A small portion of the site at the eastern end is mapped as fire hazard. No structures are proposed for this portion of the property.

Floodplain: Not Mapped

Erosion: No evidence of past erosion.

Landslide: Not Mapped; relatively flat site.

Liquefaction: Low Potential

Fault Zone: No Mapped Fault Zone

Scenic Corridor: None

Historic: No Mapped Resource

Archaeology: Survey Complete –
~~no resources found~~

Noise Constraint: No constraint

Electric Power Lines: No hazard

Solar Access: Relatively dense canopy

Solar Orientation: Available

Hazardous Materials: None

SERVICES

Fire Protection: Scotts Valley Fire Protection

School District: Scotts Valley USD

Sewage Disposal: Will-serve letter from City of Scotts Valley

Drainage District: N/A

Project Access: Tan Oak Dr./Twin Pines Dr.

Water Supply: Will-serve letter from San Lorenzo Valley Water District

PLANNING POLICIES

Zone District: R-1-10 (Single-Family Residential – 10,000 square foot minimum lot size)

General Plan: R-UL (Urban Low

Special Designation: None

Residential)

Urban Services Line:	<u> X </u> Inside	<u> </u> Outside
Coastal Zone:	<u> </u> Inside	<u> X </u> Outside

PROJECT SETTING AND BACKGROUND:

The subject property is located on the corner of Twin Pines Drive and Tan Oak Drive, both private roads. The parcel to be divided is currently developed with a 2,284 square foot single-family dwelling and attached garage and about 6,800 square feet of driveway and concrete walkways and patios. The parcel takes access from Twin Pines Drive.

The general area is developed to an urban low density. The parcel is zoned R-1-10, as are the surrounding properties in the neighborhood. The General Plan designation for the subject and adjacent lots is Urban Residential – Low Density (R-UL). The subject site is located within the Urban Services Line.

The lot slopes slightly (less than 15%) to the east-southeast. The majority of the parcel is vegetated with Ponderosa pine and oak trees and consists of Zayante coarse sand and is therefore considered Zayante Sandhills Habitat, which potentially provides habitat for several state and federally listed endangered plant and animal species. The site also characterized by abundant stands of acacia along the southwestern and eastern perimeter of the property.

DETAILED PROJECT DESCRIPTION:

The project description is based on a Tentative Map prepared by Iland Engineers, dated 5/05/09 and architectural plans prepared by James Reed Stroupe, dated 09/06.

The project consists of dividing a 43,532 square foot parcel into three parcels of 12,083 (Parcel A), 10,000 (Parcel B) and 10,000 (Parcel C) net developable square feet, therefore all three proposed parcels meet the 10,000 square foot minimum requirement for the R-1-10 zone district. Twin Pines Drive provides access to the existing single-family dwelling and will serve Parcel C, which is configured as a corridor access lot, as a result of the land division. Two new driveways are proposed to provide access from Tan Oak Drive and will serve Parcels A and B. A Parcel Map for a 1974 Minor Land Division included a non-access easement along Tan Oak Drive. Removal of the non-access easement is included in the subject proposal in order to allow the construction of the two new driveways.

The General Plan land use designation for the site, R-UL (Urban Low Density Residential) allows a density range of 4.4 to 7.2 units per net developable acre, which corresponds to lot size requirements of 6,000 to 10,000 square feet of net developable parcel area. Due to the presence of sensitive Sandhills Habitat throughout the entire parcel and the 15,000 square foot disturbance limitation for land divisions in Sandhills Habitat, the lot cannot be further divided to accommodate any additional parcels. Therefore the proposed configuration provides the maximum density possible for this parcel.

The proposed land division and associated improvements will require site grading and preparation, primarily to provide engineered fill beneath the proposed foundations, pavements, and slabs-on-grade. The proposed grading consists of 240 cubic yards of excavation and 150 cubic yards of fill, with the remaining 90 cubic yards to either be spread on site or taken to an approved landfill. The Project Biologist shall assess the characteristics of all excavated material for suitability of use on-site. If material is unsuitable to be kept on-site, it shall be taken off site to an approved landfill. Of the approximately 38 existing trees on site, 11 are proposed for removal in order to accommodate the new building sites.

Fifteen-inch culverts will be installed beneath the two driveways proposed from Tan Oak Drive.

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

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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III. ENVIRONMENTAL REVIEW CHECKLIST

A. Geology and Soils

Does the project have the potential to:

1. Expose people or structures to potential adverse effects, including the risk of material loss, injury, or death involving:

A. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or as identified by other substantial evidence?

		X	
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B. Seismic ground shaking?

		X	
--	--	---	--

C. Seismic-related ground failure, including liquefaction?

		X	
--	--	---	--

D. Landslides?

		X	
--	--	---	--

All of Santa Cruz County is subject to some hazard from earthquakes. However, the project site is not located within or adjacent to a county or State mapped fault zone. A geotechnical investigation for the proposed project was performed by CMAG Engineering (Attachment 6). The report concluded that the potential for collateral seismic hazards, such as surface rupture, coseismic ground cracking, seismically induced liquefaction, differential compaction, and landsliding to affect the site is low. The report further contains recommendations for overexcavation and recompaction to provide competent engineered fill below the proposed foundation systems. Project-specific geotechnical reports will be required prior to the issuance of building permits for the proposed dwellings as a condition of approval of the minor land division.

The report was reviewed and accepted by the Environmental Planning Department. Implementation of the additional recommendations included in the review letter prepared by Environmental Planning staff (Attachment 7) will serve to further reduce the potential risk of seismic shaking.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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7. Result in coastal cliff erosion? _____ X _____

The project is not located on or in the vicinity of a coastal bluff.

B. Hydrology, Water Supply and Water Quality

Does the project have the potential to:

1. Place development within a 100-year flood hazard area? _____ X _____

According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Rate Map, dated March 2, 2006, no portion of the project site lies within a 100-year flood hazard area.

2. Place development within the floodway resulting in impedance or redirection of flood flows? _____ X _____

According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Rate Map, dated March 2, 2006, no portion of the project site lies within a 100-year flood hazard area.

3. Be inundated by a seiche or tsunami? _____ X _____

The project site is located several miles inland from the coast.

4. Deplete groundwater supplies or interfere substantially with groundwater recharge 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? _____ X _____

The project will obtain water from San Lorenzo Valley Water District and will not rely on private well water. Although the project will incrementally increase water demand, The San Lorenzo Valley Water District has indicated that adequate supplies are available to serve the project (Attachment 12). The project is located in a mapped groundwater recharge area, however the parcel has historically been developed with a large amount of impervious surfacing that will be removed in conjunction with the proposed land division. Additionally, the two new proposed driveways would be constructed with pervious paving.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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On balance there will be no increase in the amount of impervious surface on the site and the project will not significantly impact groundwater supplies or runoff from the site.

5. Degrade a public or private water supply? (Including the contribution of urban contaminants, nutrient enrichments, or other agricultural chemicals or seawater intrusion). _____ X _____

Runoff from this project may contain small amounts of chemicals and other household contaminants. No commercial or industrial activities are proposed that would contribute a significant amount of contaminants to a public or private water supply. Potential siltation from the proposed project will be mitigated through implementation of erosion control measures.

6. Degrade septic system functioning? _____ X _____

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

7. Alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which could result in flooding, erosion, or siltation on or off-site? _____ X _____

The existing drainage pattern would not be significantly altered by the addition of proposed improvements and construction of two new single-family dwellings. The new paved driveway surface would be permeable and the plans proposed the use of percolation trenches to retain runoff on site. In addition, the closest stream, Camp Evers Creek, is located over 2,000 feet southeast of the subject parcel; therefore the proposed drainage patterns would not alter the course of a stream or river or contribute to flooding, erosion, or siltation off-site. The Department of Public Works Stormwater Management Staff and County Environmental Planning Staff have reviewed and approved preliminary drainage plans and a condition of approval of the project would require the applicant to obtain Environmental Planning and Public Works approval of final drainage and erosion control plans prior to parcel map recordation, which would reduce the possible impacts of flooding, erosion, or siltation to off-site to less than significant.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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8. Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems, or create additional source(s) of polluted runoff?

_____ X _____

Drainage Calculations prepared by Iland Engineers (Attachment 8), have been reviewed for potential drainage impacts and accepted by the Department of Public Works (DPW) Drainage Section staff. Proposed new drainage facilities would likely include graded swales at the perimeter of each building envelope and new culverts beneath the two driveways at Tan Oak Drive. An existing drainage ditch runs along Tan Oak and the new culverts will adequately handle the upstream runoff. While one or two culverts downstream of the property may not be adequately sized to handle 25-year storm events, given the removal of existing impervious surfaces, and the high percolation rates associated with the Zayante sands that characterize the parcel, the subject proposal is not expected to increase the pre-development runoff rates and is not expected to negatively impact the downstream drainage systems. Additionally, a letter from the City of Scotts Valley Public Works Department (Attachment 8) indicates that the storm drains along Lockwood Lane are adequate to serve the drainage basin and that the subject proposal will not adversely affect the larger drainage system. Per County Code Section 16.22.060, prior to parcel map recordation, the applicant would be required to submit final drainage and erosion control plans for review and approval by Department of Public Works Stormwater Management and Environmental Planning Staff to ensure that runoff would be held on site and would not exceed the capacity of existing offsite facilities. Refer to response B-5 for discussion of urban contaminants and/or other polluting runoff.

9. Contribute to flood levels or erosion in natural water courses by discharges of newly collected runoff?

_____ X _____

Camp Evers Creek is the closest natural water course, which is located about 2,200 feet to the southeast. No increase in net impervious surfaces will result from this project, thus there will be minimal additional storm water runoff that could contribute to flooding or erosion. Prior to parcel map recordation, the applicant would be required to submit final drainage and erosion control plans for review and approval by Department of Public Works Stormwater Management and Environmental Planning Staff to ensure that runoff would be held on site and would not exceed the capacity of existing offsite facilities. Therefore, the creek would not be impacted by discharges of newly collected runoff as a result of the project.

10. Otherwise substantially degrade water supply or quality?

_____ X _____

Few pollutants would be added to the existing water supply as a result of this project.

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Department of Public Works Stormwater Management Staff have reviewed and approved preliminary drainage plans and would review and approve final drainage plans prior to parcel map recordation to ensure that appropriate treatment methods are proposed to treat runoff prior to discharge off site and also to ensure the appropriate placement and design of treatment facilities, such as vegetated swales. This condition would ensure that the impacts of runoff on water quality are less than significant. See responses B-4 regarding impacts to water supply.

C. Biological Resources

Does the project have the potential to:

1. 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 Game, or U.S. Fish and Wildlife Service?

X

The site contains Zayante Sandhills Habitat and there is therefore potential for incidental take of the endangered Mount Hermon June beetle. A Low-Effect Habitat Conservation Plan (HCP) was prepared by Richard A. Arnold, PhD. (Attachment 10) for this site. The HCP states that during a 2001 presence-absence survey conducted within 1/2 block of the subject site Mount Hermon June beetle (MHJB) specimens were observed. Because of the potential take resulting from the subject development, the applicant applied for a section 10(a)(1)(B) permit from the U.S. Fish & Wildlife Service.

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

Although the HCP prepared for this project provides for the purchase of .870 credits (corresponding to over 37,000 square feet of disturbance based on one credit per acre), implementation of the County Sensitive Habitat Ordinance (Section 16.32 of the County Code) requires additional minimization of development activities within Sensitive Habitat. Therefore, the subject project will be allowed to disturb no more than

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15,000 square feet or 0.344 Bank credits.

A development envelope corresponding to the maximum 15,000 square feet disturbance area will be delineated on the parcel map prior to recordation. The development envelope will also be memorialized in a Declaration of Biotic Restriction (Attachment 14). Additional mitigation measures are incorporated into the Declaration of Restriction, such as restrictions against removal of native Sandhills plant species, the prohibition of ground disturbing activities outside of the development envelope and restrictions on the use of permanent outdoor lighting that may attract MHJB.

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

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

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

The measures outlined above will also serve to protect any possible occurrence of other protected animal species on site. According to the HCP no protected plant species were observed on site.

Because the conservation value of the Conservation Bank habitat is considered much greater than that at the project site, and in consideration of the pre-construction protection measures and Declarations of Restriction to be recorded on the deed of each newly created parcel, the potential to significantly impact the biotic resources as a result of the proposed land division has been mitigated to a less than significant level.

2. Have an adverse effect on a sensitive biotic community (riparian corridor),

_____ X _____

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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wetland, native grassland, special forests, intertidal zone, etc.)?

Refer to comments under C-1 above.

3. 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?

_____ X _____

The proposed project does not involve any activities that would interfere with the movements or migrations of fish or wildlife, or impede use of a known wildlife nursery site.

4. Produce nighttime lighting that will illuminate animal habitats?

_____ X _____

The subject property is located in an urbanized area and is surrounded by existing residential development that currently generates nighttime lighting. The development area is within Sandhills Habitat, which could be adversely affected by a new or additional source of light that is not adequately deflected or minimized. The following conditions will be added to the project, such that any potential impact will be reduced to a less than significant level: Permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of surrounding areas. Light sources that do not attract insects (e.g. yellow or sodium vapor bulbs) shall be used if outdoor lighting is necessary (e.g. security or handicap access structures).

5. Make a significant contribution to the reduction of the number of species of plants or animals?

_____ X _____

Refer to C-1 and C-2 above.

6. 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)?

_____ X _____

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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The project will not conflict with any local policies or ordinances. The mitigation measures serve to minimize the disturbance of sensitive Sandhills Habitat to an acceptable level by limiting all disturbance to a total of 15,000 square feet and through the purchase of 15,000 square feet of conservation credits to offset the allowed disturbance.

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

X

An adopted Habitat Conservation Plan has been prepared for this project (Attachment 10). The proposed land division is consistent with the provisions of the Habitat Conservation Plan and incorporates the mitigations contained within the Plan.

D. Energy and Natural Resources

Does the project have the potential to:

1. Affect or be affected by land designated as "Timber Resources" by the General Plan?

X

The project is adjacent to land designated as Timber Resource. However, the project will not affect the resource or access to harvest the resource in the future. The timber resource may only be harvested in accordance with California Department of Forestry timber harvest rules and regulations.

2. Affect or be affected by lands currently utilized for agriculture, or designated in the General Plan for agricultural use?

X

The project site is not currently being used for agriculture and no agricultural uses are proposed for the site or surrounding vicinity.

3. Encourage activities that result in the use of large amounts of fuel, water, or energy, or use of these in a wasteful manner?

X

No proposed activities would result in the use of large amounts of fuel, water, or energy because the amount of water and energy required to construct and service the proposed development would be consistent with other developments of similar size and design. The existing house on the property is being relocated rather than demolished.

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Therefore consumption of large amounts of fuel, water and energy would be less than significant.

4. Have a substantial effect on the potential use, extraction, or depletion of a natural resource (i.e., minerals or energy resources)? _____ X

The subject parcel is not mapped for mineral resources and no natural resources will be used, extracted, or depleted as a result of this project.

E. Visual Resources and Aesthetics

Does the project have the potential to:

1. Have an adverse effect on a scenic resource, including visual obstruction of that resource? _____ X

The proposed project is not visible from a County designated scenic resource.

2. Substantially damage scenic resources, within a designated scenic corridor or public view shed area including, but not limited to, trees, rock outcroppings, and historic buildings? _____ X

The project site is not located along a County designated scenic road or within a designated scenic resource area.

3. Degrade the existing visual character or quality of the site and its surroundings, including substantial change in topography or ground surface relief features, and/or development on a ridge line? _____ X

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

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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Extensive stands of non-native acacia currently exist along Tan Oak Lane, which are detrimental to the natural visual character of the surrounding neighborhood. Project conditions require the removal of this and other invasive non-native species and replacement with native Sandhills plant species, which will restore the natural vegetation and enhance the visual quality of the site and the neighborhood.

4. Create a new source of light or glare which would adversely affect day or nighttime views in the area? _____ X _____

The project will contribute an incremental amount of night lighting to the visual environment. However, the following project conditions will reduce this potential impact to a less than significant level: Permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of surrounding areas. Light sources that do not attract insects (e.g. yellow or sodium vapor bulbs shall be used if outdoor lighting is necessary (e.g. security or handicap access structures).

5. Destroy, cover, or modify any unique geologic or physical feature? _____ X _____

There are no unique geological or physical features on or adjacent to the site that would be destroyed, covered, or modified by the project.

F. Cultural Resources

Does the project have the potential to:

1. Cause an adverse change in the significance of a historical resource as defined in CEQA Guidelines 15064.5? _____ X _____

The existing structures on the property are not designated as a historic resources on any federal, State or local inventory.

2. Cause an adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines 15064.5? _____ X _____

According to the Archaeological Site Assessment performed by Pacific Legacy, dated April 22, 2008 (Attachment 9), there is no evidence of pre-historic cultural resources. However, pursuant to Section 16.40.040 of the Santa Cruz County Code, if archeological resources are uncovered during construction, the responsible persons shall immediately cease and desist from all further site excavation and comply with the notification procedures given in County Code Chapter 16.40.040.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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3. Disturb any human remains, including those interred outside of formal cemeteries?

_____ X _____

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.

4. Directly or indirectly destroy a unique paleontological resource or site?

_____ X _____

The subject parcel is not within or in the vicinity of a mapped paleontological resource area; therefore, no further studies were required as part of the application for development.

G. Hazards and Hazardous Materials

Does the project have the potential to:

1. Create a significant hazard to the public or the environment as a result of the routine transport, storage, use, or disposal of hazardous materials, not including gasoline or other motor fuels?

_____ X _____

No hazardous materials will be stored, used disposed of, or transported to and from the site.

2. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

_____ X _____

The project site is not included on the 9/17/09 list of hazardous sites in Santa Cruz County compiled pursuant to the specified code.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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3. Create a safety hazard for people residing or working in the project area as a result of dangers from aircraft using a public or private airport located within two miles of the project site? _____ X _____

There are no public or private airports located within 2 miles of the project site.

4. Expose people to electro-magnetic fields associated with electrical transmission lines? _____ X _____

No high voltage transmission lines exist on the subject parcel; therefore, exposure to electromagnetic fields would be less than significant.

5. Create a potential fire hazard? _____ X _____

The project design incorporates all applicable fire safety code requirements and will include fire protection devices as required by the local fire agency.

6. Release bio-engineered organisms or chemicals into the air outside of project buildings? _____ X _____

There will be no bio-engineered organisms or chemicals created or used at the proposed site.

H. Transportation/Traffic

Does the project have the potential to:

1. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? _____ X _____

The project will create a small incremental increase in traffic on nearby roads and intersections. However, given the small number of new trips created by the development of two new single-family dwellings, the increase is less than significant. Further, the increase will not cause the Level of Service at any nearby intersection to drop below Level of Service D.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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2. Cause an increase in parking demand which cannot be accommodated by existing parking facilities? _____ X _____

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

3. Increase hazards to motorists, bicyclists, or pedestrians? _____ X _____

The proposed project will comply with current road requirements to prevent potential hazards to motorists, bicyclists, and/or pedestrians.

4. 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? _____ X _____

See response H-1 above.

I. Noise

Does the project have the potential to:

1. Generate a permanent increase in ambient noise levels in the project vicinity above levels existing without the project? _____ X _____

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

2. Expose people to noise levels in excess of standards established in the General Plan, or applicable standards of other agencies? _____ X _____

Per County policy, average hourly noise levels shall not exceed the General Plan threshold of 50 Leq during the day and 45 Leq during the nighttime. The subject parcel is surrounded by parcels developed with single-family dwellings and is not located

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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adjacent to a heavily traveled roadway or stationary noise source; therefore, the proposed creation of three parcels does not have the potential to expose people to noise levels in excess of General Plan standards.

3. Generate a temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

_____ X _____

Noise generated during construction will increase the ambient noise levels for adjoining areas. Construction will be temporary, however, and given the limited duration of this impact it is considered to be less than significant.

J. Air Quality

Does the project have the potential to:
(Where available, the significance criteria established by the MBUAPCD may be relied upon to make the following determinations).

1. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

_____ X _____

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

Given the modest amount of new traffic that will be generated by the project there is no indication that new emissions of VOCs or NOx will exceed Monterey Bay Unified Air Pollution Control District (MBUAPCD) thresholds for these pollutants and therefore there will not be a significant contribution to an existing air quality violation.

Project construction may result in a short-term, localized decrease in air quality due to generation of dust. However, given that only 15,000 square feet of disturbance area is allowed, the amount of dust potentially produced will be less than significant.

2. Conflict with or obstruct implementation of an adopted air quality plan?

_____ X _____

The project will not conflict with or obstruct implementation of the regional air quality plan. See J-1 above.

3. Expose sensitive receptors to substantial pollutant concentrations?

_____ X _____

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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See response J-1 regarding the impacts of temporary construction dust.

4. Create objectionable odors affecting a substantial number of people? _____ X _____

No objectionable odors will be created by the proposed use.

K. Public Services and Utilities

Does the project have the potential to:

1. Result in the need for new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:
- | | | | | |
|-----------------------------------------------------------------|-------|-------|---------------|-------|
| a. Fire protection? | _____ | _____ | _____ X _____ | _____ |
| b. Police protection? | _____ | _____ | _____ X _____ | _____ |
| c. Schools? | _____ | _____ | _____ X _____ | _____ |
| d. Parks or other recreational activities? | _____ | _____ | _____ X _____ | _____ |
| e. Other public facilities; including the maintenance of roads? | _____ | _____ | _____ X _____ | _____ |

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

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2. 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? _____ X _____

Drainage analysis of the project by Ifland Engineers and confirmed by staff from the City of Scotts Valley Public Works Department concluded that the project will not adversely affect the City drainage system.

3. Result in the need for construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? _____ X _____

The project will connect to an existing municipal water supply. San Lorenzo Valley Water District has determined that adequate supplies are available to serve the project (Attachment 12).

Municipal sewer service is available to serve the project, as reflected in the attached letter from the City of Scotts Valley Public Works Department (Attachment 13).

4. Cause a violation of wastewater treatment standards of the Regional Water Quality Control Board? _____ X _____

The project's wastewater flows will not violate any wastewater treatment standards.

5. Create a situation in which water supplies are inadequate to serve the project or provide fire protection? _____ X _____

The water mains serving the project site provide adequate flows and pressure for fire suppression. Additionally, the Scotts Valley Fire Protection District has reviewed and approved the conceptual improvement plans and shall review and approve final improvement plans prior to parcel map recordation to assure conformity with fire protection standards that include minimum requirements for water supply for fire protection. In addition, the San Lorenzo Valley Water District has determined that there is adequate water available to serve the proposed development (Attachment 12) and provide fire protection.

6. Result in inadequate access for fire protection? _____ X _____

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
-----------------------------------------------------------	-----------------------------------------------------------------	---------------------------------------------	-------------------

The project's road access meets County standards and has been approved by the Scotts Valley Fire Protection District as appropriate. The final improvement plans shall be reviewed and approved by the Fire Protection District prior to parcel map recordation to ensure that adequate access is provided for emergency vehicles during and after construction.

7. Make a significant contribution to a cumulative reduction of landfill capacity or ability to properly dispose of refuse?

X

The project would make an incremental contribution to the reduced capacity of regional landfills as the proposed single-family dwellings become occupiers. In addition, the project would make a one-time construction to the landfill as a result of construction. However, there is one single-family dwelling on the property which shall be relocated and used on one of the newly created parcels; therefore the overall contribution to the landfill capacity will be less than significant.

8. Result in a breach of federal, state, and local statutes and regulations related to solid waste management?

X

Solid waste accumulation is anticipated to increase slightly as a result of creating two new dwellings; however residential daily trash accumulation is minimal and is not expected to result in a breach of federal, state or local statutes and regulations.

L. Land Use, Population, and Housing

Does the project have the potential to:

1. Conflict with any policy of the County adopted for the purpose of avoiding or mitigating an environmental effect?

X

The proposed project does not conflict with any policies adopted for the purpose of avoiding or mitigating an environmental effect, in that the project will use a mitigation bank for the potential take of protected species. The use of the bank has been approved by the County of Supervisors and complies with the provisions of General Plan Policies 5.1.4 and 5.1.7, which allow for development where impacts to biotic communities have been adequately mitigated.

Further, a project condition requires preparation of an approved Restoration Plan, which will specify the removal of invasive non-native plant species from the site in conformance with General Plan Policy 5.1.12 and 5.1.14.

Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
-----------------------------------------------------------	-----------------------------------------------------------------	---------------------------------------------	-------------------

2. Conflict with any County Code regulation adopted for the purpose of avoiding or mitigating an environmental effect?

_____ X _____

The proposed project does not conflict with any regulations adopted for the purpose of avoiding or mitigating an environmental effect. Section 16.32 of the County Code states that disturbance of biotic communities shall be minimized and that all development within sensitive habitat shall mitigate significant effects. As discussed in C-1, the proposed land division makes use of an approved mitigation in the purchase of Conservation Credits from an approved Conservation Bank. The purchase of credits will provide an overall benefit to the habitat in perpetuity in contrast with the smaller, segmented portions of available habitat that exist in urbanized areas represented by the subject lot.

Therefore the proposed project is consistent with the County Sensitive Habitat Ordinance.

3. Physically divide an established community?

_____ X _____

The project will not include any element that will physically divide an established community.

4. Have a potentially significant growth inducing effect, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

_____ X _____

The proposed project is designed at the density and intensity of development allowed by the General Plan and zoning designations for the parcel, given the limitations imposed by the presence of sensitive Sandhills Habitat. While the project does involve extensions of sewer systems into areas previously not served, the surrounding neighborhood is close to "build-out" at maximum allowed densities. Consequently, it is not expected to have a significant growth-inducing effect.

5. Displace substantial numbers of people, or amount of existing housing, necessitating the construction of replacement housing elsewhere?

_____ X _____

The proposed project will entail a net gain in housing units.

M. Non-Local Approvals

Does the project require approval of federal, state, or regional agencies?

Yes X No

The U.S. Fish & Wildlife Service

N. Mandatory Findings of Significance

1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant, animal, or natural community, or eliminate important examples of the major periods of California history or prehistory?

Yes No X

2. Does the project have the potential to achieve short term, to the disadvantage of long term environmental goals? (A short term impact on the environment is one which occurs in a relatively brief, definitive period of time while long term impacts endure well into the future)

Yes No X

3. Does the project have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, and the effects of reasonably foreseeable future projects which have entered the Environmental Review stage)?

Yes No X

4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Yes No X

TECHNICAL REVIEW CHECKLIST

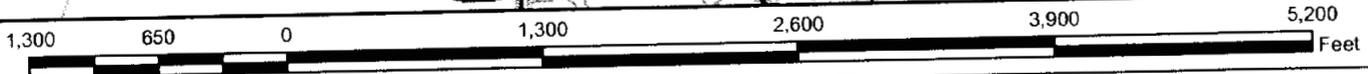
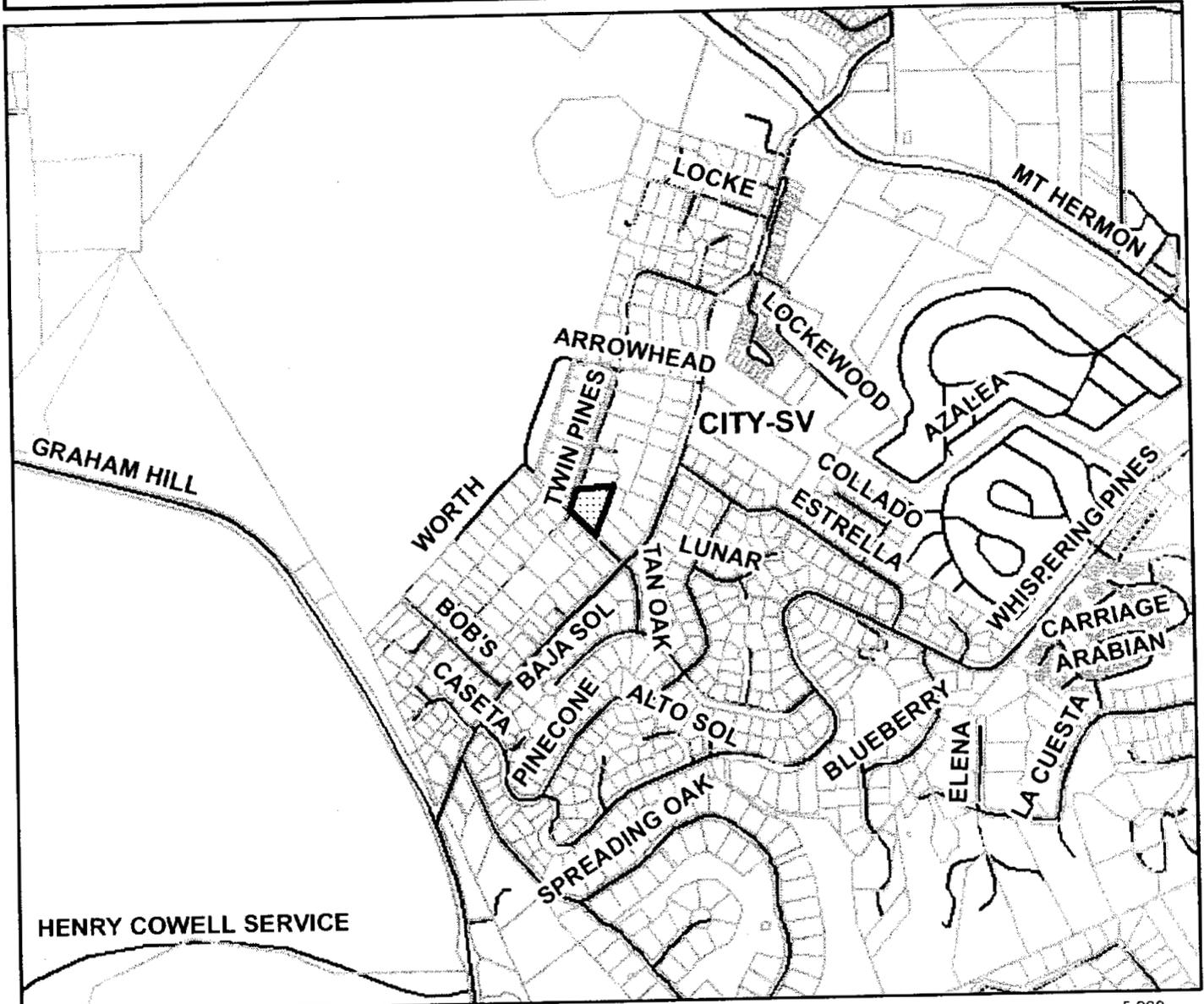
	<u>REQUIRED</u>	<u>COMPLETED*</u>	<u>N/A</u>
Agricultural Policy Advisory Commission (APAC) Review			X
Archaeological Review	XXXX	April 2008	
Biotic Report/Assessment	XXXX	October 2006	
Geologic Hazards Assessment (GHA)			X
Geologic Report			X
Geotechnical (Soils) Report	XXXX	November 2008	
Riparian Pre-Site			X
Septic Lot Check			X
Other:			
Zayante Sandhills Conservation Bank website	XXXX	http://www.zayantesandhills.com/banking.html	X

Attachments:

1. Location Map, Map of Zoning Districts, Map of General Plan Designations, Assessors Parcel Map
2. Project Plans
3. Geotechnical Investigation prepared by CMAG Engineering, dated November 4, 2008.
4. Geotechnical Review Letter prepared by Carolyn Banti, Associate Civil Engineer, dated January 13, 2009.
5. Drainage calculations prepared by Ifland Engineers dated June 29, 2009
6. Archeological Reconnaissance Survey Letter prepared by Pacific Legacy, dated April 22, 2008
7. Low-Effect Habitat Conservation Plan prepared by Richard A. Arnold, PhD., dated October 2006
8. Discretionary Application Comments, dated July 21, 2009
9. Letter from San Lorenzo Valley Water District, dated June 27, 2006
10. Letter from the City of Scotts Valley Public Works Department, dated June 21, 2006
11. Declaration of Restriction Regarding Sandhills Habitat.

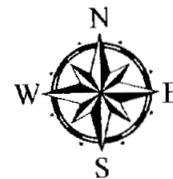


Location Map



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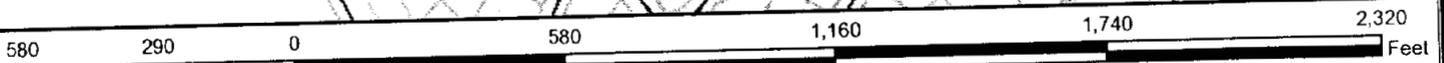
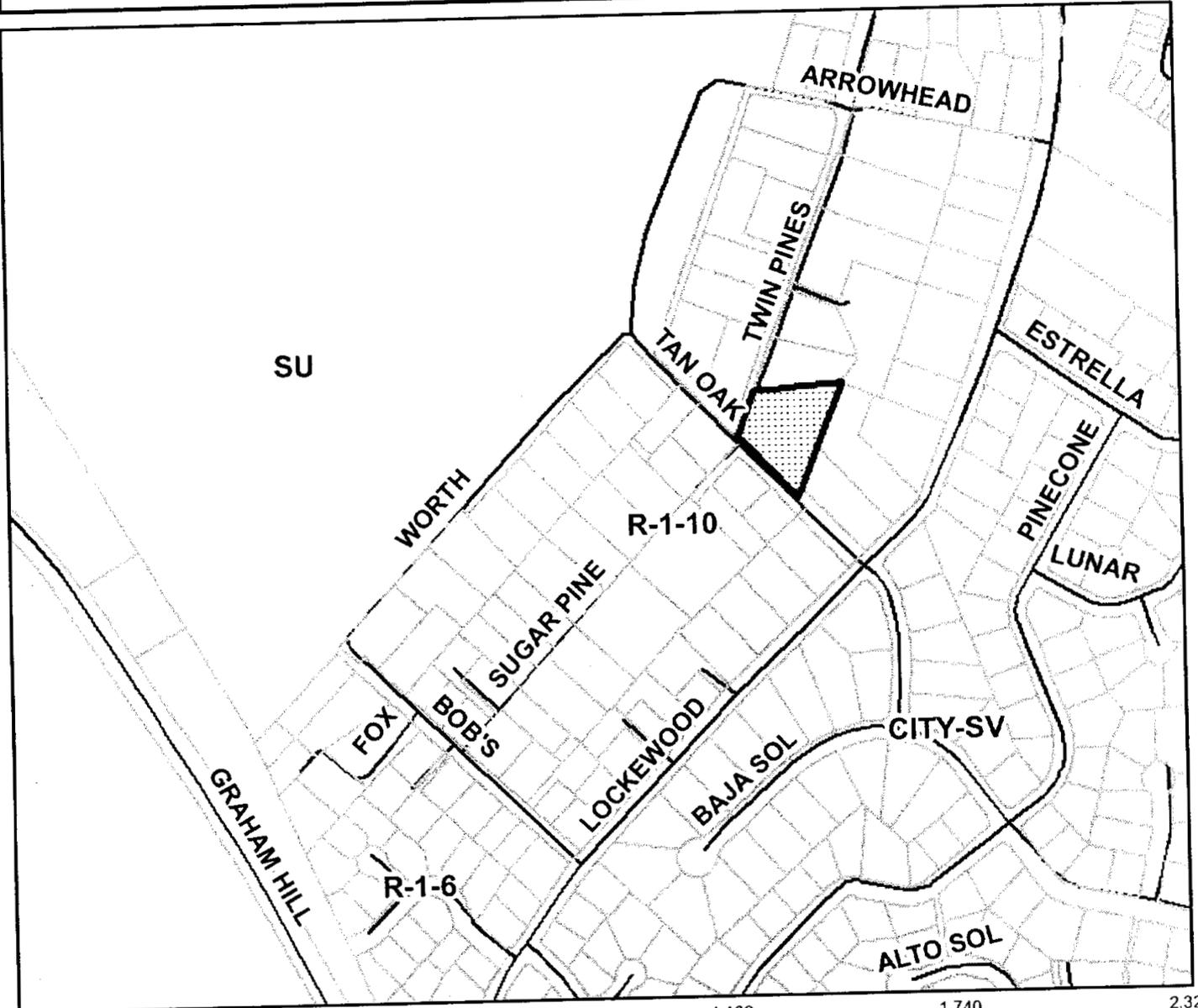
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-  Assessors Parcels
-  Streets
-  SCOTTS VALLEY



Map Created by
 County of Santa Cruz
 Planning Department
 November 2009

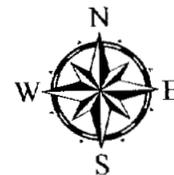


Zoning Map



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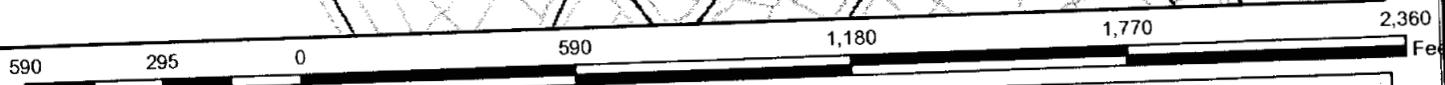
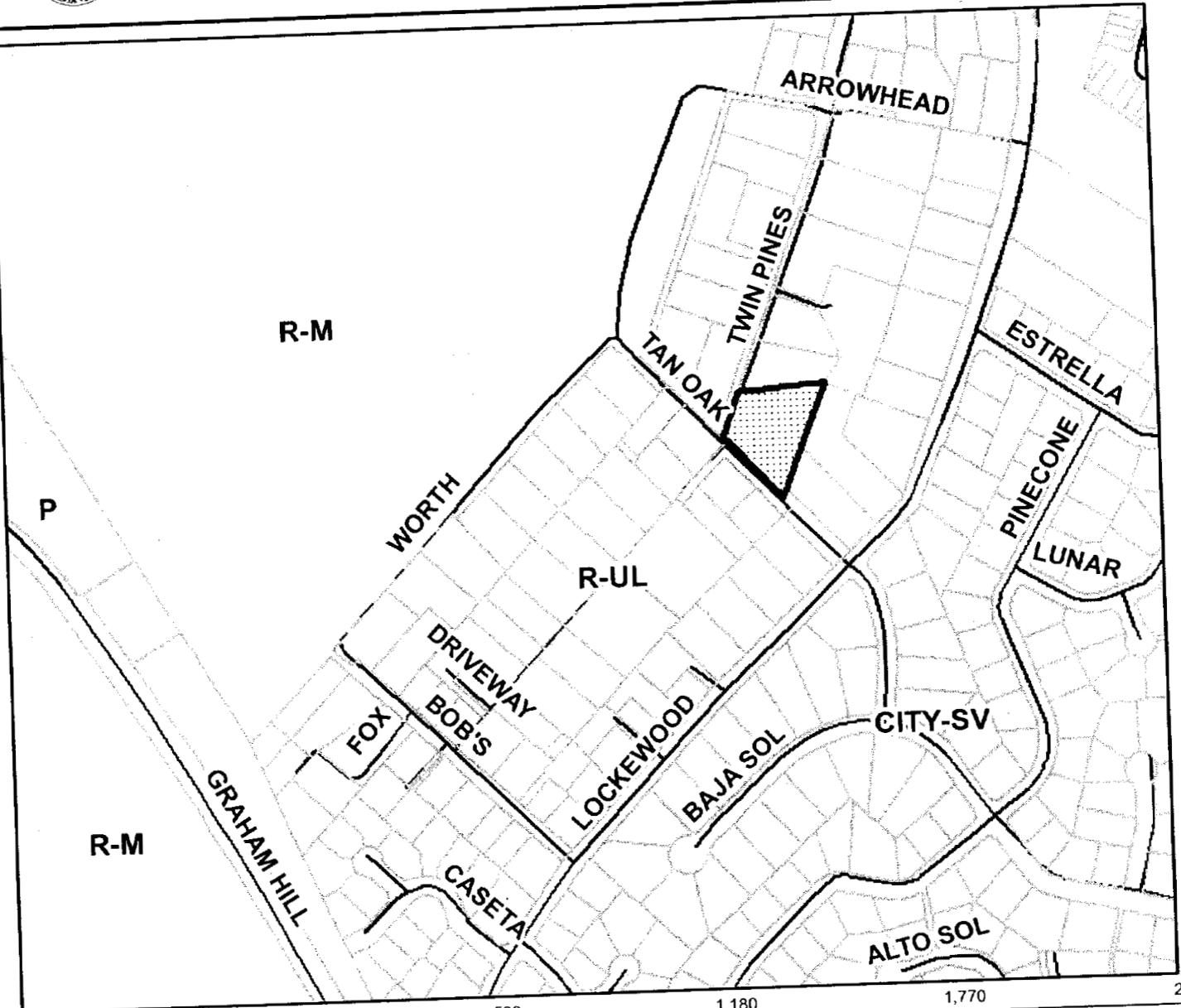
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-  Assessors Parcels
-  Streets
-  SCOTTS VALLEY
- RESIDENTIAL-SINGLE FAMILY
- SPECIAL USE



Map Created by
County of Santa Cruz
Planning Department
November 2009



General Plan Designation Map



LEGEND

-  APN: 067-041-24
-  Assessors Parcels
-  Streets
-  SCOTTS VALLEY
- Residential - Urban Low Density
- Residential-Mountain
- Public Facilities



Map Created by
County of Santa Cruz
Planning Department
November 2009

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POR. SAN AUGUSTINE RANCHO
 SECS. 23 & 24, T10S, R2W, M.D.B. & M.

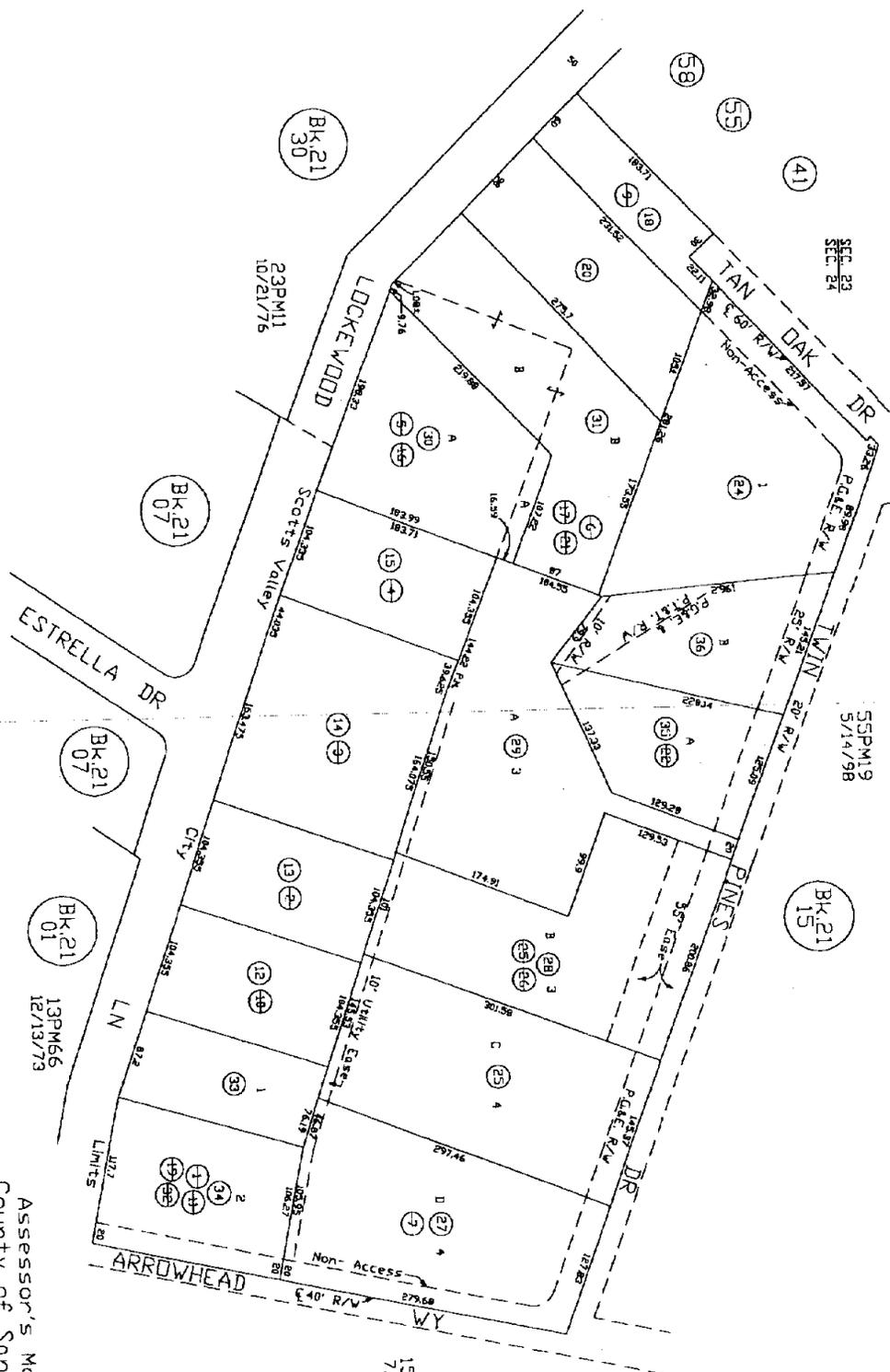
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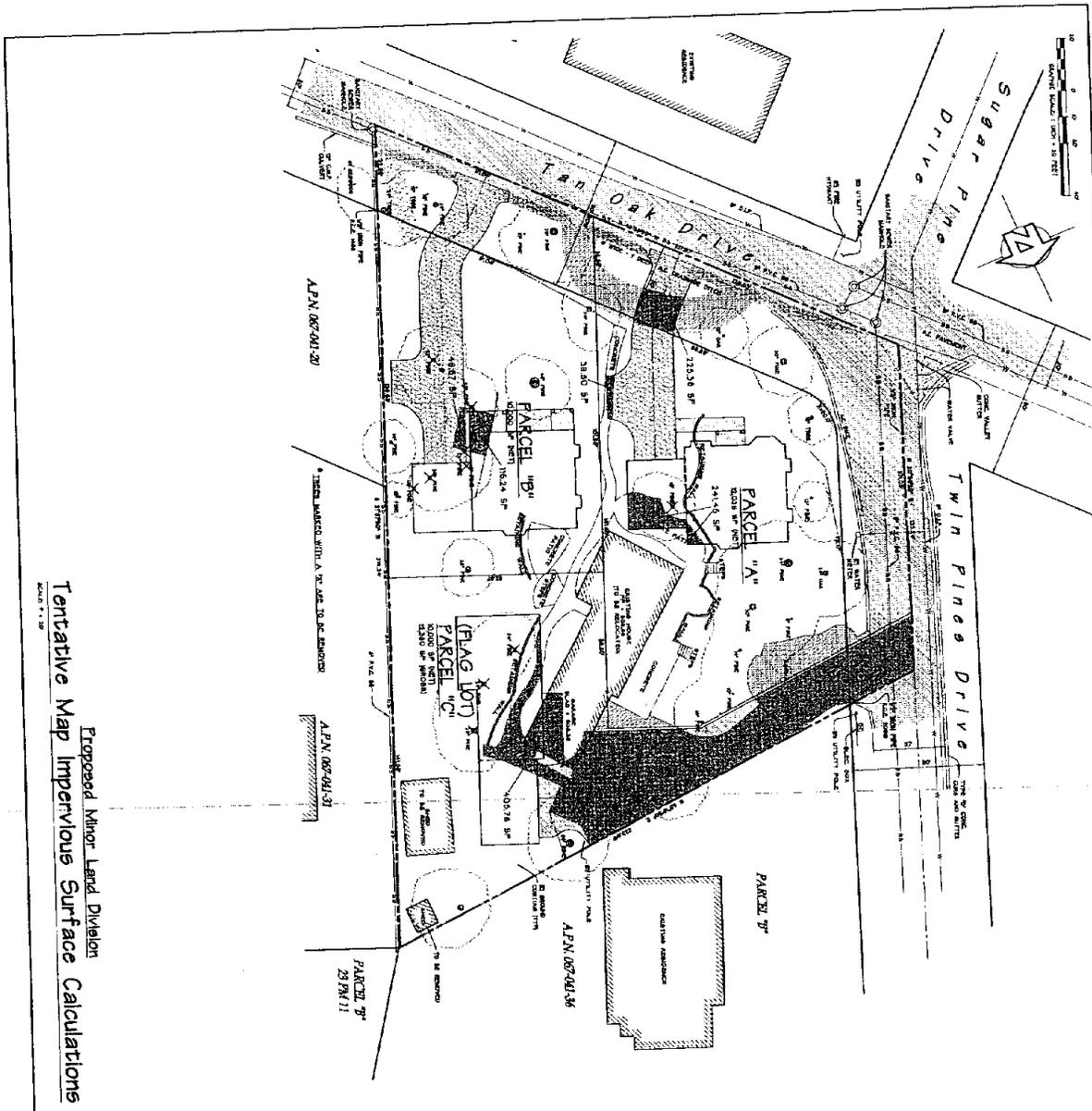
67-04

Electronically redrawn 7/11/99 KSA
 Rev. 8/7/01 with changed page refs.

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

Assessor's Map No. 67-04
 County of Santa Cruz, Calif.
 July 1999





Proposed Minor Land Division
 Tentative Map ImperVIOUS Surface Calculations
 SCALE: 1" = 10'

Existing ImperVIOUS Surface

ROADS	1,440 sq. ft.
STREETS	1,440 sq. ft.
STREET FURNISHINGS	1,440 sq. ft.
LANDSCAPE	1,440 sq. ft.
CONCRETE PAVEMENT	1,440 sq. ft.
TOTAL	5,760 sq. ft.

Proposed or Remaining ImperVIOUS Surface

ROADS	1,440 sq. ft.
STREETS	1,440 sq. ft.
STREET FURNISHINGS	1,440 sq. ft.
TOTAL	4,320 sq. ft.

Existing/Proposed Overlapping ImperVIOUS Surface

ROADS	1,440 sq. ft.
STREETS	1,440 sq. ft.
TOTAL	2,880 sq. ft.

Benchmark

THE BENCHMARK FOR THIS PROJECT IS THE CORNER OF THE INTERSECTION OF TWIN PINES DRIVE AND SUGAR PINE DRIVE. THE BENCHMARK IS A 6" DIA. IRON PIPE SET IN CONCRETE. THE BENCHMARK IS LOCATED AT THE INTERSECTION OF TWIN PINES DRIVE AND SUGAR PINE DRIVE. THE BENCHMARK IS A 6" DIA. IRON PIPE SET IN CONCRETE.

Baseline of Bearing

THE BASELINE OF BEARING FOR THIS PROJECT IS THE CORNER OF THE INTERSECTION OF TWIN PINES DRIVE AND SUGAR PINE DRIVE. THE BASELINE OF BEARING IS A 6" DIA. IRON PIPE SET IN CONCRETE. THE BASELINE OF BEARING IS LOCATED AT THE INTERSECTION OF TWIN PINES DRIVE AND SUGAR PINE DRIVE. THE BASELINE OF BEARING IS A 6" DIA. IRON PIPE SET IN CONCRETE.

NOTE:
 THE BOUNDARY LINES SHOWN ON THIS MAP WERE OBTAINED BY THE SURVEYOR FROM THE RECORDS OF THE COUNTY CLERK OF SAN JOAQUIN COUNTY, CALIFORNIA. THE SURVEYOR HAS MADE A SITE VISIT TO FIELD CHECK THE DATA PROVIDED AND HAS FOUND THE DATA TO BE ACCURATE AND SUFFICIENT FOR THE PURPOSES OF THIS MAP.

PROPOSED MINOR LAND DIVISION

Existing Site Conditions & Tentative Map
Larry Busch
 567 Twin Pines Drive, Scotto Valley, California

IFLAND ENGINEERS
 CIVIL ENGINEERING • LAND PLANNING • STRUCTURAL DESIGN

DATE: 10/20/04
 DESIGN: GLEN
 DRAWN: MARK

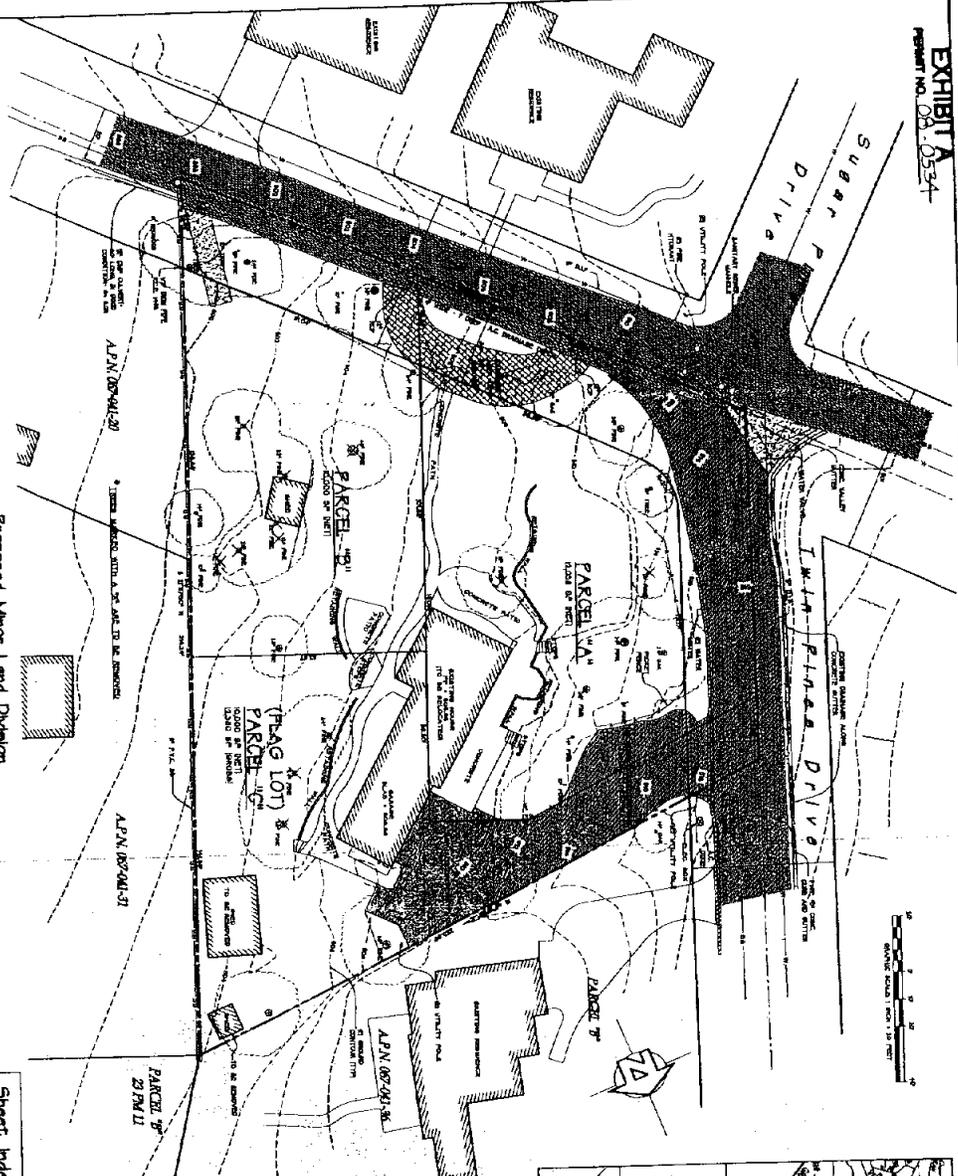
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SCALE: 1" = 10'

DATE: 10/20/04

APPROVED: [Signature]

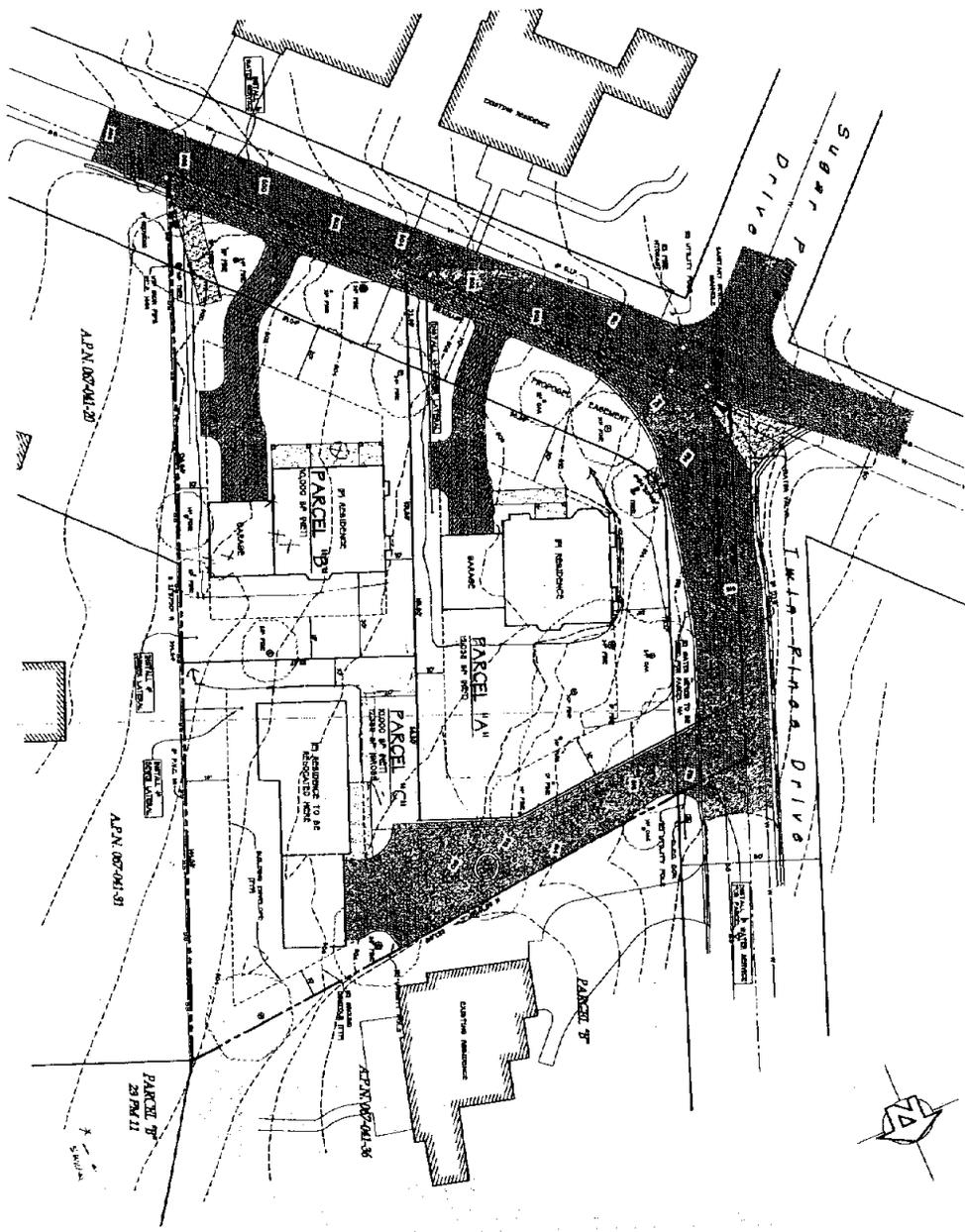
DATE: 10/20/04



Existing Impervious Surface

Legend:

- 100% ASPHALT
- 75% CONCRETE
- 50% CONCRETE
- 25% CONCRETE
- 10% CONCRETE
- 5% CONCRETE
- 2.5% CONCRETE
- 1.25% CONCRETE
- 0.625% CONCRETE
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- 0.00000000000000000000000000000000000000000000000171056941977213541



Proposed Minor Land Division
 Preliminary Site & Utility Plan

General Notice

- 1. THE APPLICANT HAS PROVIDED THE LAND DIVISION WITH THE FOLLOWING INFORMATION:
- 2. THE APPLICANT HAS PROVIDED THE LAND DIVISION WITH THE FOLLOWING INFORMATION:
- 3. THE APPLICANT HAS PROVIDED THE LAND DIVISION WITH THE FOLLOWING INFORMATION:

Proposed or Remotely Proposed Service

WATER: 1/4" = 1' 0"
 SEWER: 1/4" = 1' 0"
 GAS: 1/4" = 1' 0"
 POWER: 1/4" = 1' 0"
 TELEPHONE: 1/4" = 1' 0"
 CABLE: 1/4" = 1' 0"

NEW DRIVEWAYS ARE TO BE CONSTRUCTED WITH PERVIOUS PAVING

THE APPLICANT HAS PROVIDED THE LAND DIVISION WITH THE FOLLOWING INFORMATION:

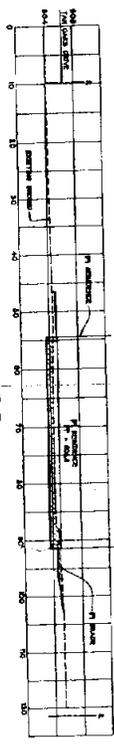
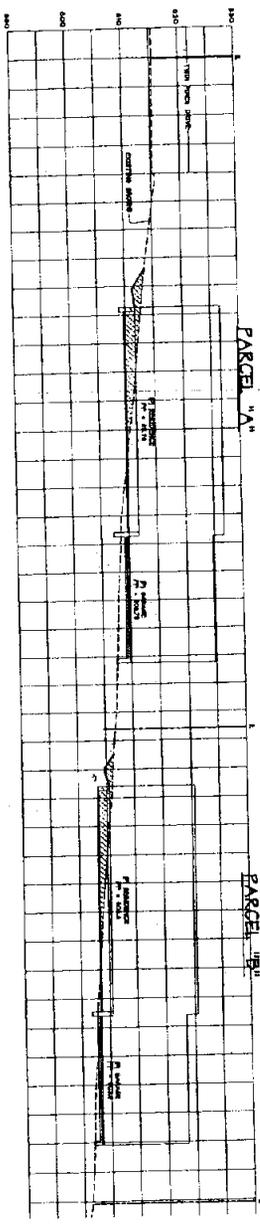
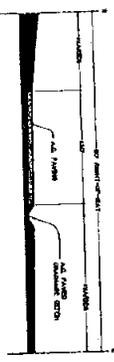
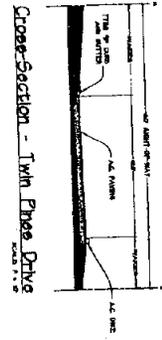


PROPOSED MINOR LAND DIVISION
 Preliminary Site Grading & Drainage Plan
 Larry Buech
 687 Twin Pines Drive, Scotts Valley, California

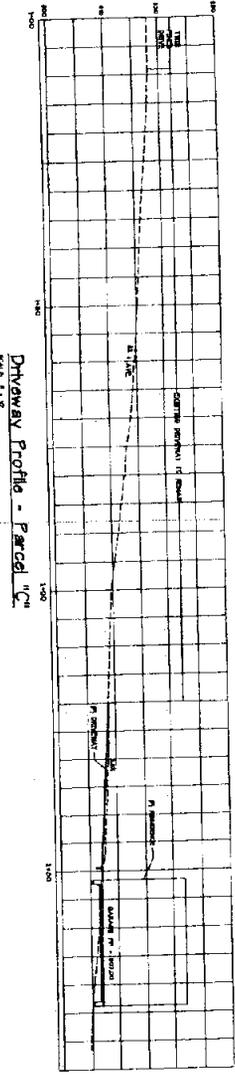
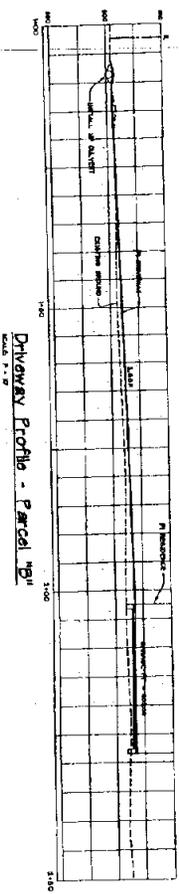
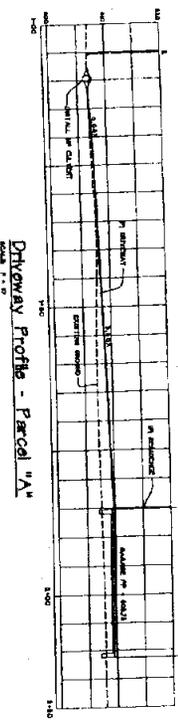
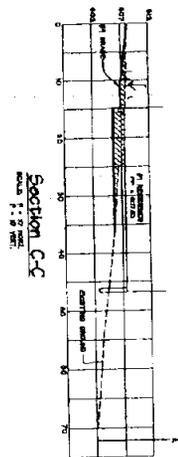
IFLAND ENGINEERS
 CIVIL ENGINEERING • LAND PLANNING • TRAFFIC DESIGN
 680 BROWN AVE. SUITE 100
 SCOTT VALLEY, CA 95458
 TEL: (408) 438-1800
 FAX: (408) 438-1743
 WWW.IFLANDENGINEERS.COM

DATE	DESCRIPTION	DRAWN	DATE
08/08/08	TM2	RYAN	





Section B-B



Proposed Minor Land Division
Cross-sections & Profiles

PROPOSED MINOR LAND DIVISION

Cross-sections & Profiles
Larry Buech
587 Twin Pine Drive, Scotts Valley, California

IFLAND ENGINEERS
CIVIL ENGINEERING • LAND SURVEYING • ARCHITECTURAL DESIGN

688 SCAGGS AVE. SUITE 100
SCAGGS, CALIF. 95068
(925) 885-8810
FAX (925) 885-8810
WWW.IFLANDENGINEERS.COM

APPROVED _____
DATE _____

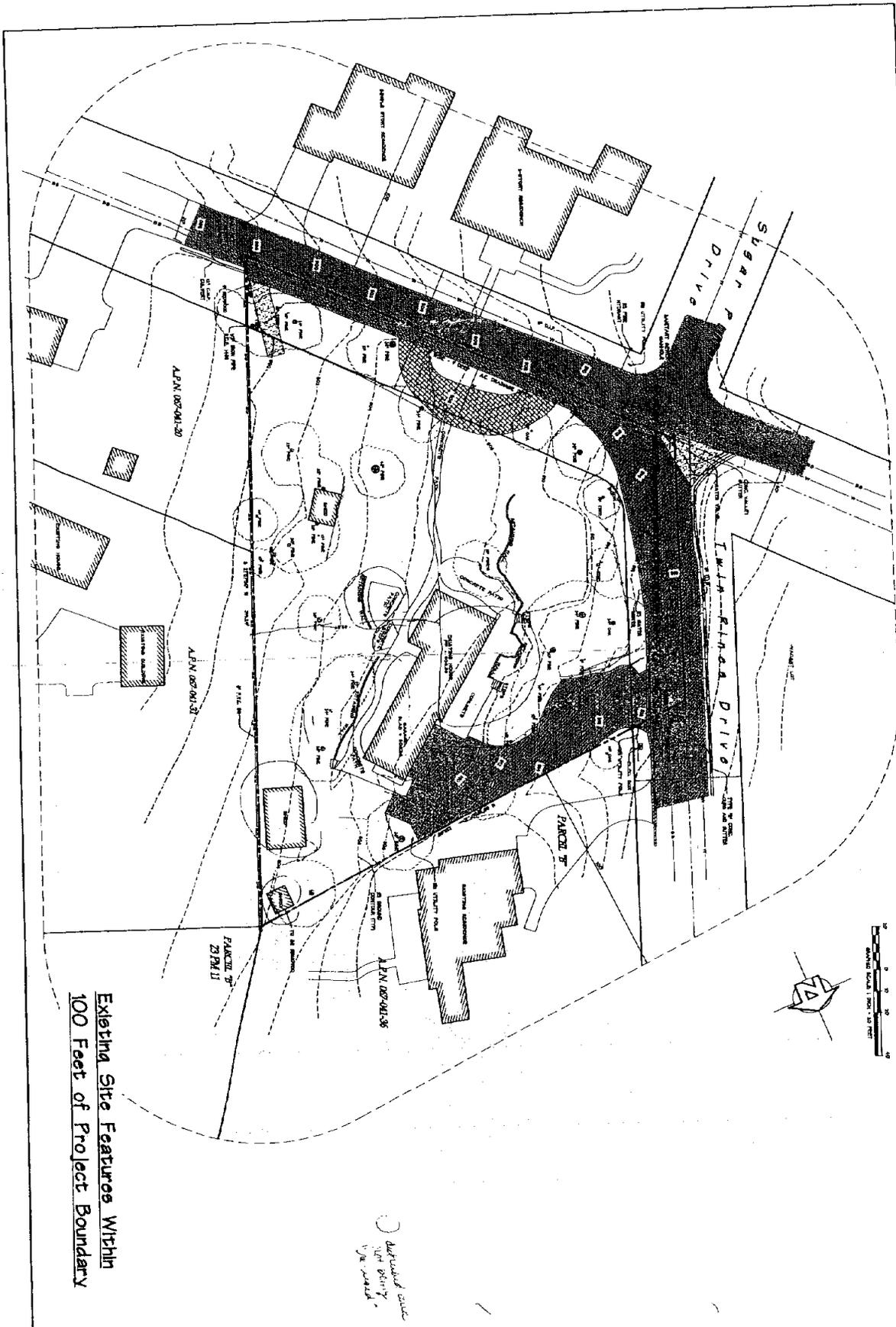
APPROVED _____
DATE _____

APPROVED _____
DATE _____

APPROVED _____
DATE _____



DATE 08/08/08
DESIGN GLEN
DRAWN RJC
SCALE TMA



Existing Site Features Within
100 Feet of Project Boundary

*Additional notes
see plan
for details
of the site*



PROPOSED MINOR LAND DIVISION

Existing Feature Within 100 Feet
Larry Buech

687 Twin Pine Drive, Scotts Valley, California

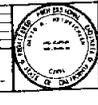
IFLAND ENGINEERS
CIVIL ENGINEERING • LAND PLANNING • SURVEYING

2200 SOGOM AVE. SUITE 100
SCOTT VALLEY, CA 95460
TEL (916) 838-2100
FAX (916) 838-2100
WWW.IFLANDENGINEERS.COM

DATE	DESIGN	DRAWN	APPROVED	DATE
02/06/08	BLCH	RYAN		

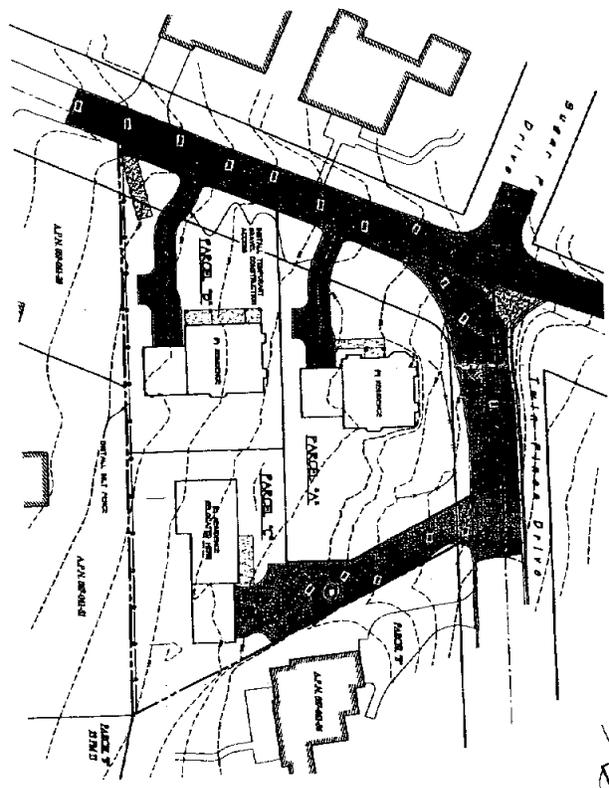
SCALE
TMS

MLD #08-0534
APN 057-049-24

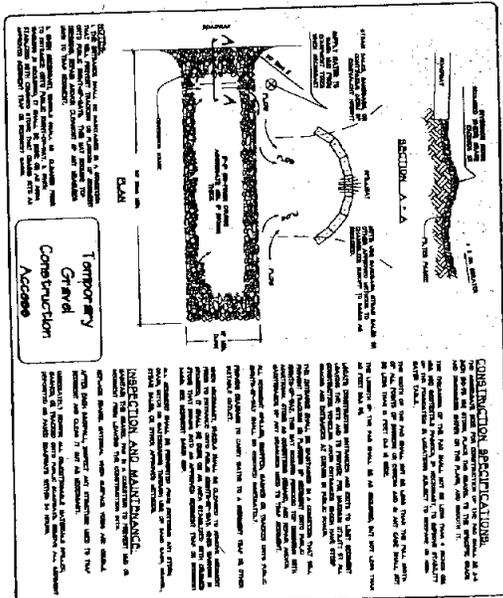
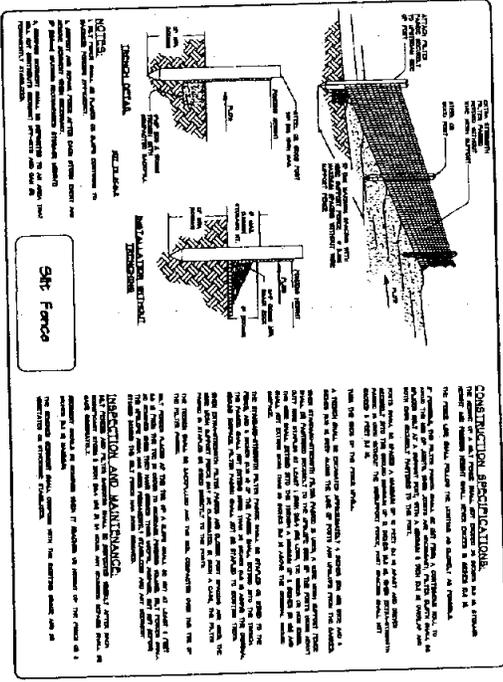


Erosion Control Notes

1. All erosion control measures shall be installed prior to any grading, excavation, or construction activity on the site.
2. All erosion control measures shall be installed prior to any grading, excavation, or construction activity on the site.
3. All erosion control measures shall be installed prior to any grading, excavation, or construction activity on the site.
4. All erosion control measures shall be installed prior to any grading, excavation, or construction activity on the site.
5. All erosion control measures shall be installed prior to any grading, excavation, or construction activity on the site.
6. All erosion control measures shall be installed prior to any grading, excavation, or construction activity on the site.
7. All erosion control measures shall be installed prior to any grading, excavation, or construction activity on the site.
8. All erosion control measures shall be installed prior to any grading, excavation, or construction activity on the site.
9. All erosion control measures shall be installed prior to any grading, excavation, or construction activity on the site.
10. All erosion control measures shall be installed prior to any grading, excavation, or construction activity on the site.

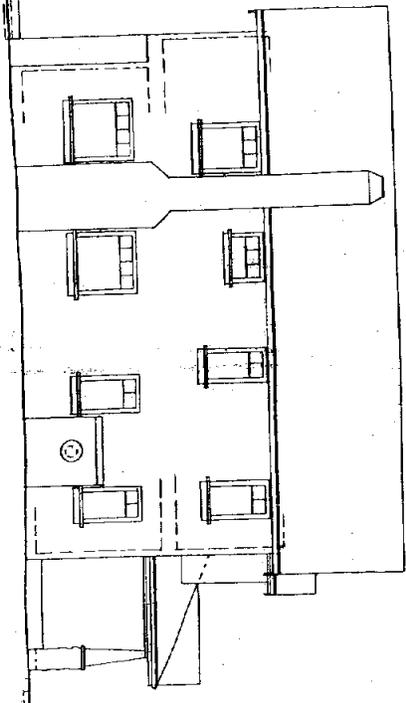


Preliminary Erosion Control Plan

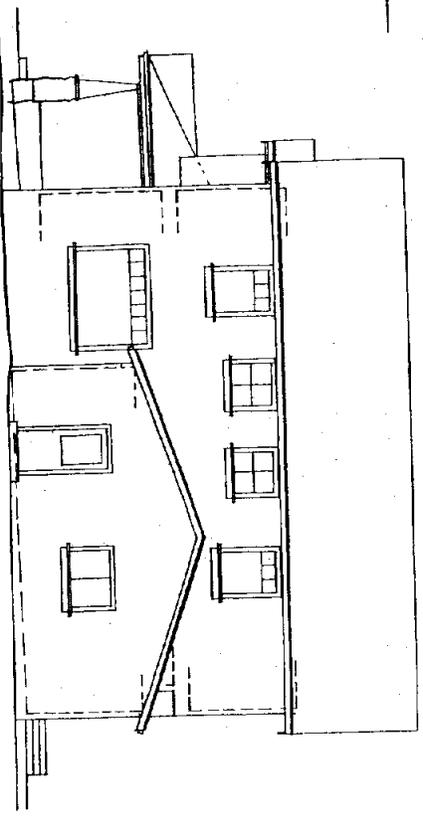


<p>PROPOSED MINOR LAND DIVISION</p> <p>Preliminary Erosion Control Plan</p> <p>Larry Buech</p> <p>587 Twin Pine Drive, Scotts Valley, California</p>		<p>IFLAND ENGINEERS</p> <p>587 TWIN PINE DRIVE SCOTTS VALLEY, CA 95067 TEL: (408) 438-1111 WWW.IFLANDENGINEERS.COM</p>	<p>DATE: _____</p> <p>SCALE: _____</p> <p>PROJECT: _____</p> <p>REVISION: _____</p> <p>DATE: _____</p>
<p>MLD #08-0624</p> <p>APN 087-041-24</p> <p>TMS</p>	<p>DATE: _____</p> <p>SCALE: _____</p> <p>PROJECT: _____</p> <p>REVISION: _____</p> <p>DATE: _____</p>		

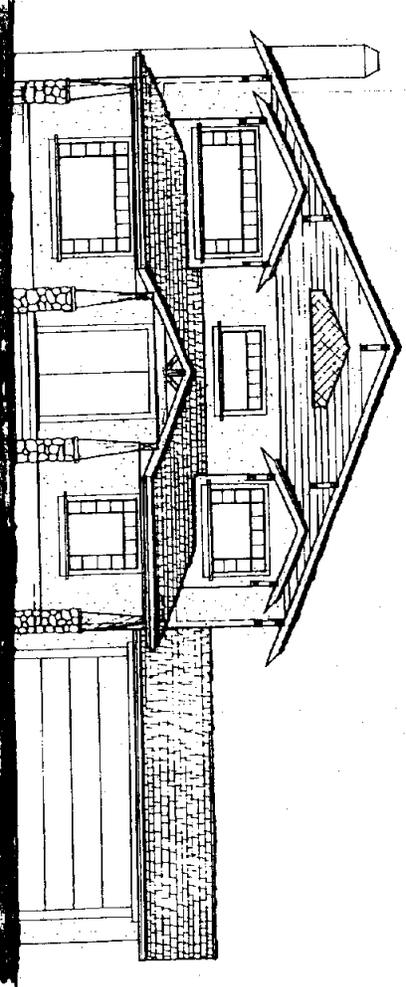
West elevation - left side
vertical



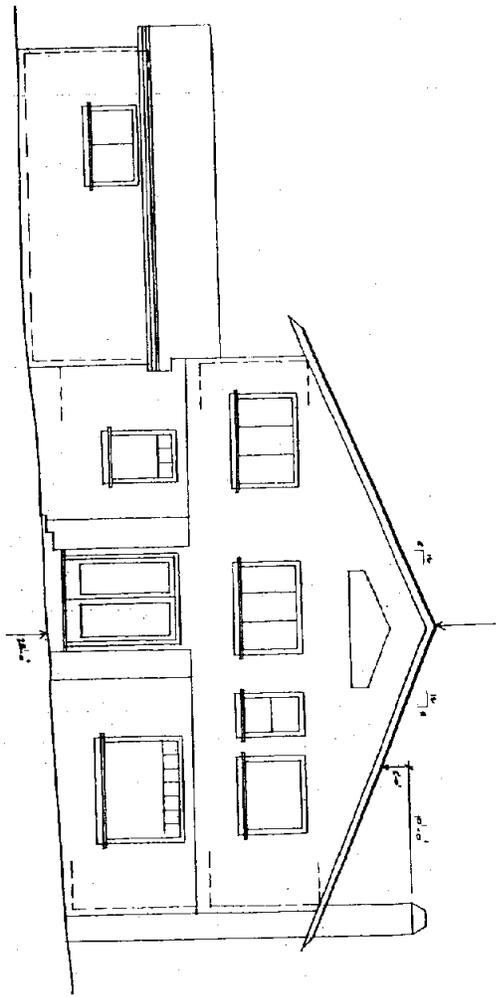
East elevation - right side
vertical



South elevation - front
vertical



North elevation - back
vertical



SHEET NUMBER
of

Parcel B
887 Twin Pine Drive
South Valley, CA 94008
APN 087-041-04
031.487.1321

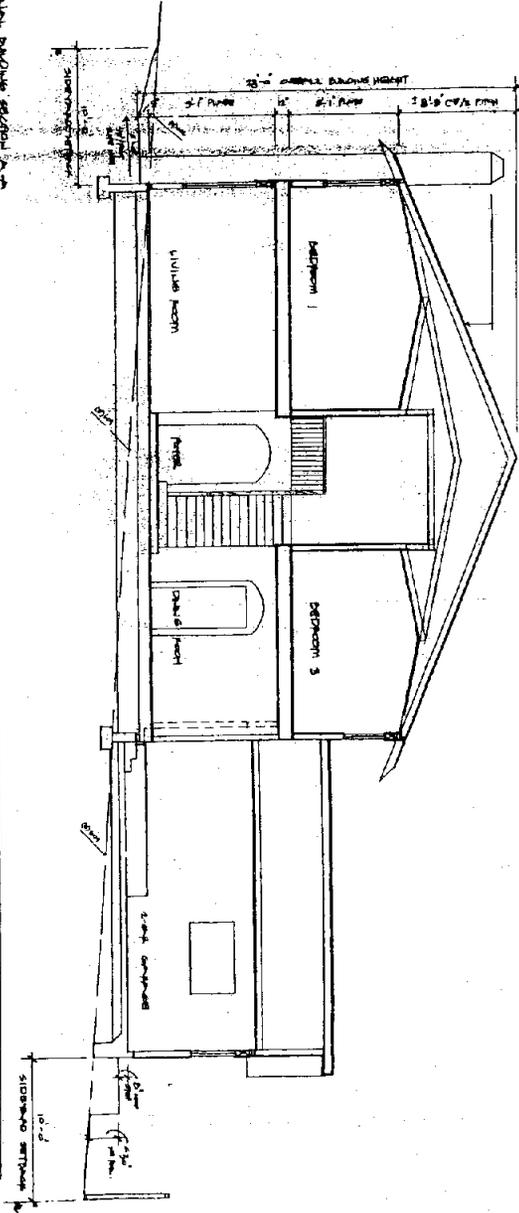
EXTERIOR ELEVATIONS

ARCHITECT
James Reed Group
87 Java Place
Pleasant Hill, CA 94623
925.263.3977

SUBMITTED
SEP 02

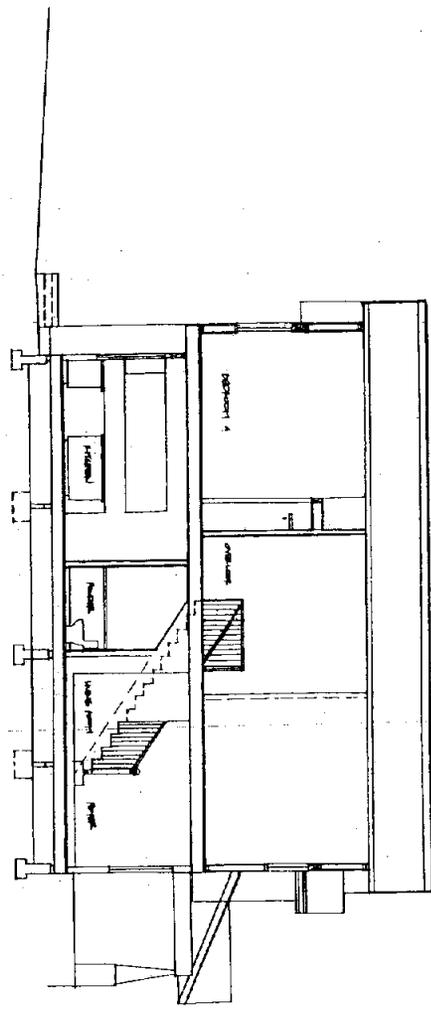
Ⓟ

1/4" = 1'-0"
UNIVERSAL BUILDING SECTION 2-2



Ⓟ

1/4" = 1'-0"
UNIVERSAL BUILDING SECTION 3-3



SHEET NUMBER

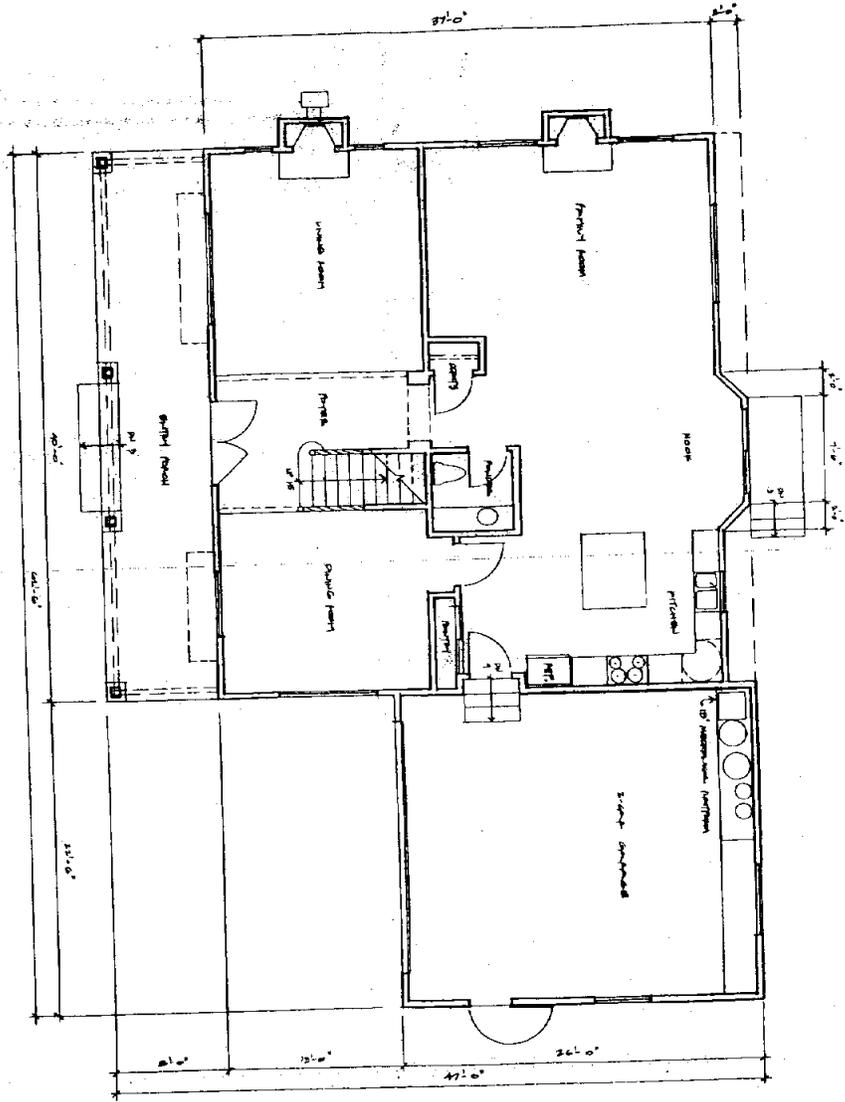
Parcel B
857 Twin Pines Drive
Seattle Valley, CA 94266
APN 087-041-24
831.487.1331

BUILDING SECTIONS

ARCHITECT
Jarvis Reed Group
87 Jerri Place
Pleasant Hill, CA 94523
926.383.3677

SUBMITTED
5/8/06

Ⓐ FIRST FLOOR PLAN, 1995 SCOURED PORT
1/4" = 1'-0"



Area Summary

Lot Size	10,000 sq ft
First Floor Scoured	1,495
Second Floor Scoured	1,460
Total Scoured Area	2,955 sq ft
Unscoured Area (Garage)	800
Garage Area (1,100)	300
Porch Area	1,000 sq ft
Scoured Area	2,955
Total	3,955

Net Scoured Area 2,955 sq ft / 10,000 = 29.55%

SHEET 1200A
OF

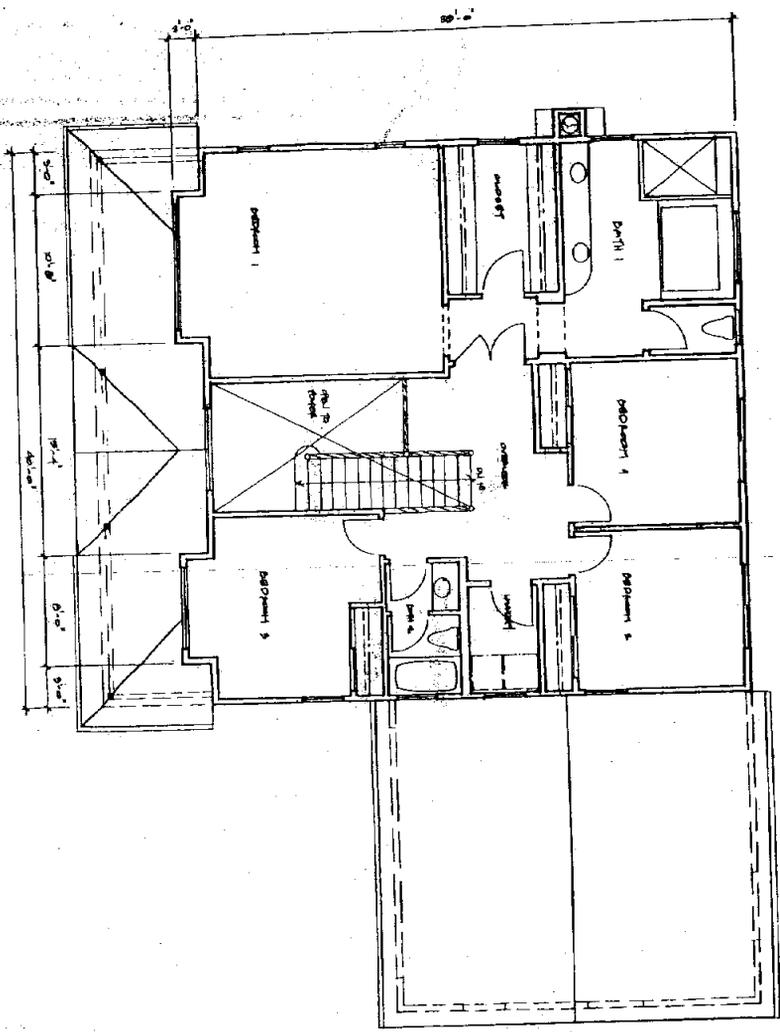
Parcel B
887 Twin Pines Drive
Spokane Valley, CA 99086
APH 087-841-24
081.487.1351

FIRST FLOOR PLAN

ARCHITECT
James Reed Group
87 Jardin Place
Pleasant Hill, CA 94523
926.363.3077

SUBMITTED
SEP 00

1/4" = 1'-0"
 440000 South Ave. 1450 square feet



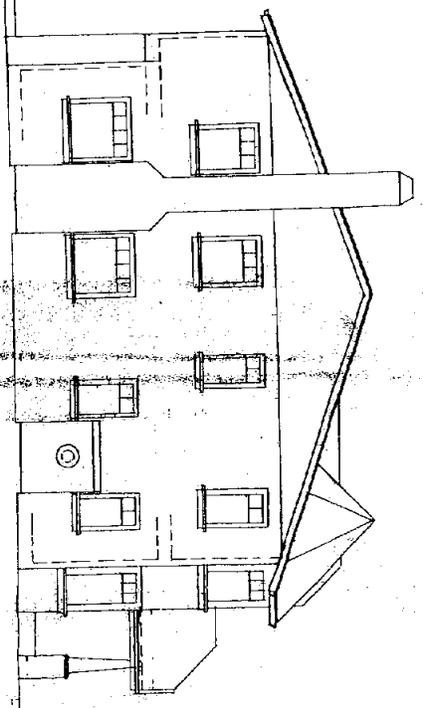
SHEET NUMBER

Parcel B
 887 Twin Pines Drive
 South Valley, CA 90060
 APN 087-641-24
 001,457,130'

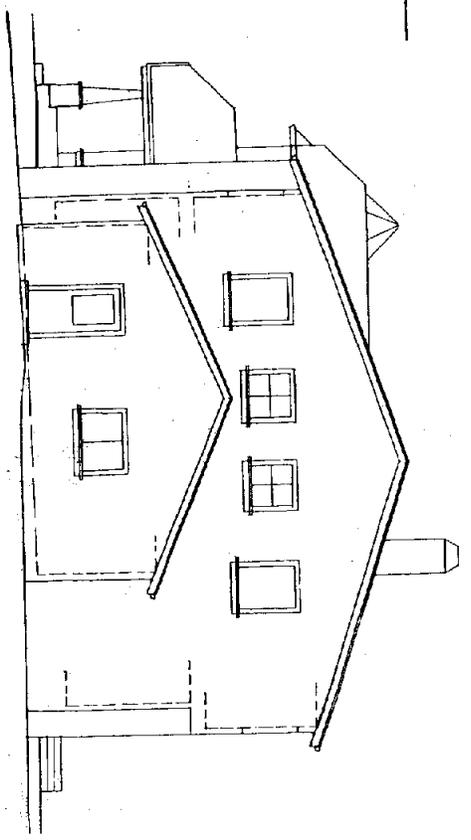
SECOND FLOOR PLAN

ARCHITECT
 James Reed Stroupe
 87 Junin Place
 Pleasant Hill, CA 94523
 925.383.3077

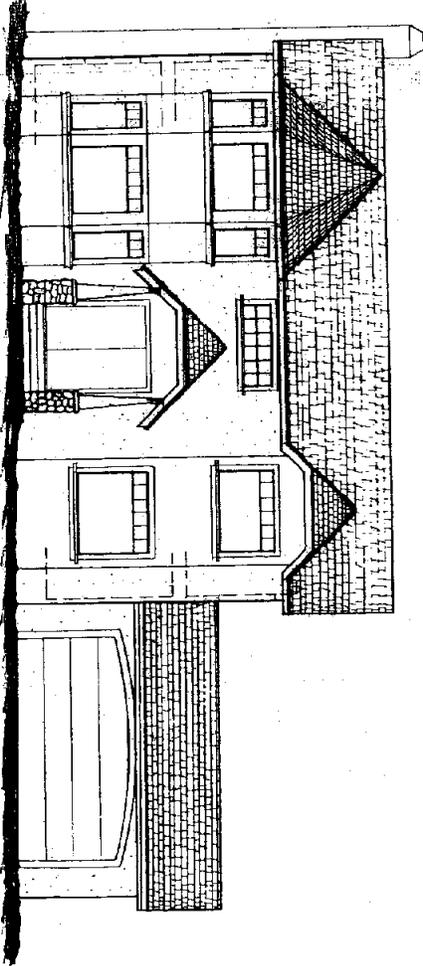
SUBMITTED
 SEP 06



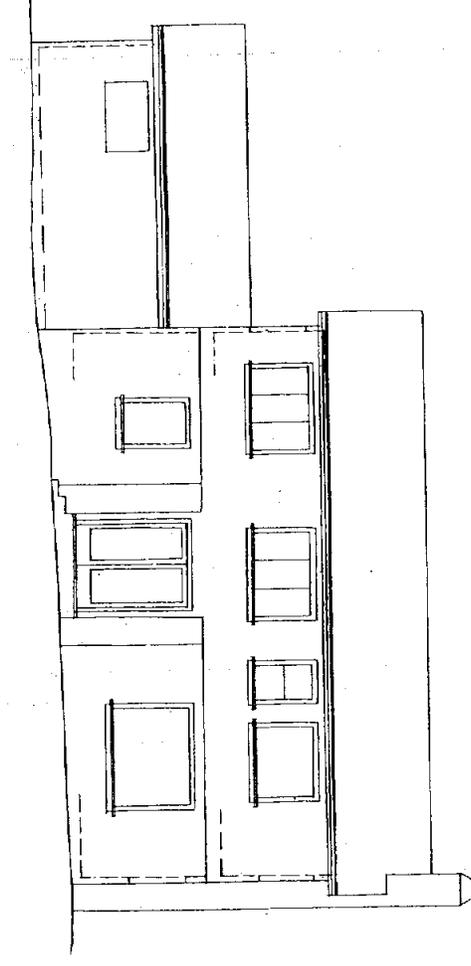
② East Elevation - Altitude 4108
View 1



③ North Elevation - Altitude 4108
View 1



④ South Elevation - Front
View 1



⑤ West Elevation - Altitude 4108
View 1

SHEET 1 of 2

Parcel A
557 Twin Pines Drive
Sausalito, CA 94965
APN 087-041-04
831.607.1851

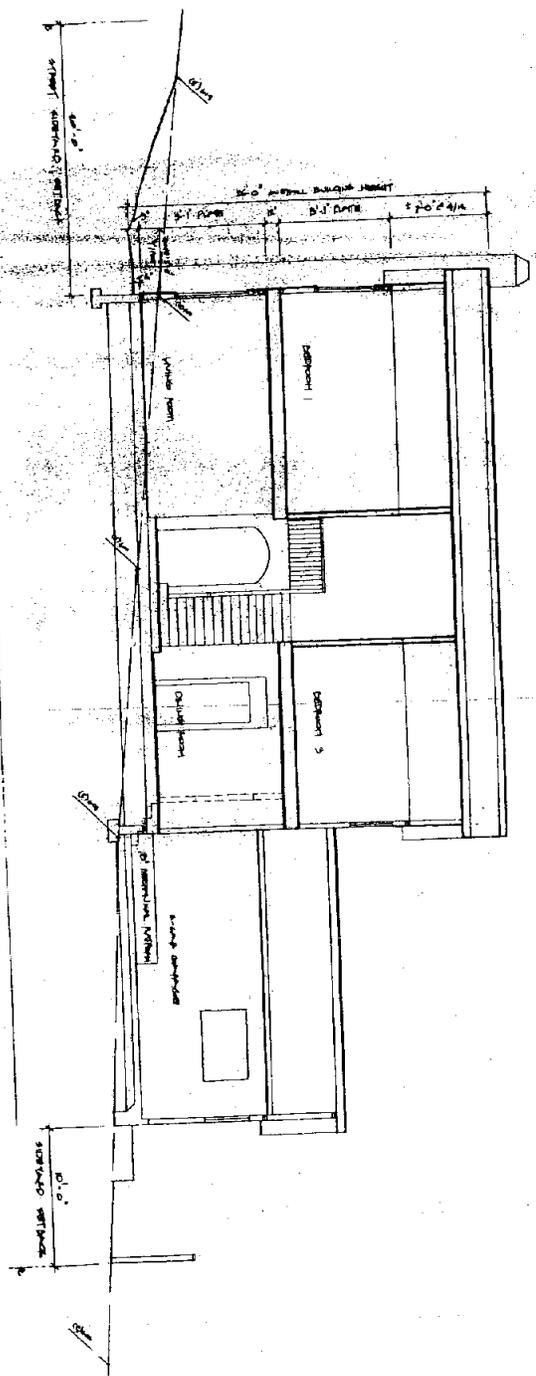
EXTERIOR ELEVATIONS

ARCHITECT
James Reed Group
87 Jerin Place
Pleasant Hill, CA 94523
925.363.3077

SUBMITTED
9/27/06

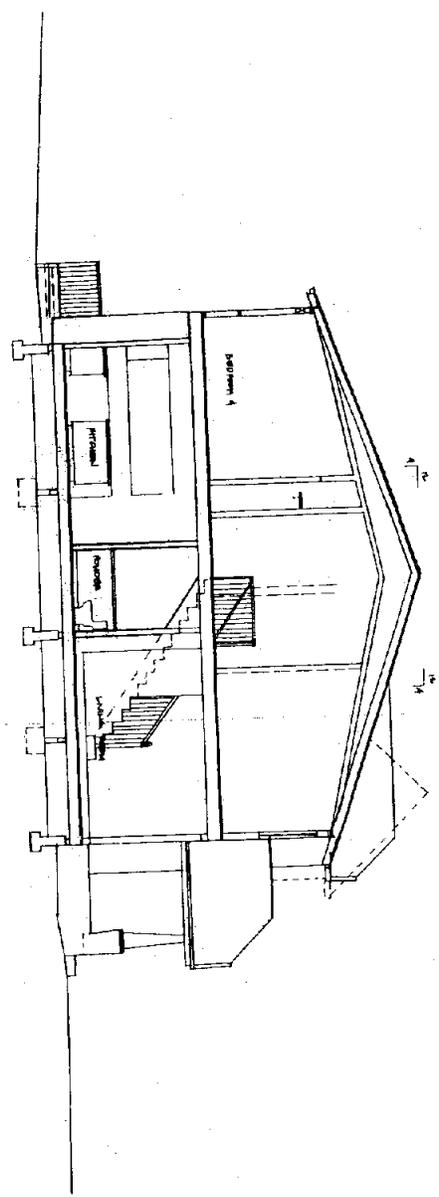
A

TRANSVERSE SECTION 0-10



B

TRANSVERSE SECTION 0-10



SHEET NUMBER

Parcel A
 687 Twin Pines Drive
 Scotts Valley, CA 95060
 APN 067-061-04
 021.667.1321

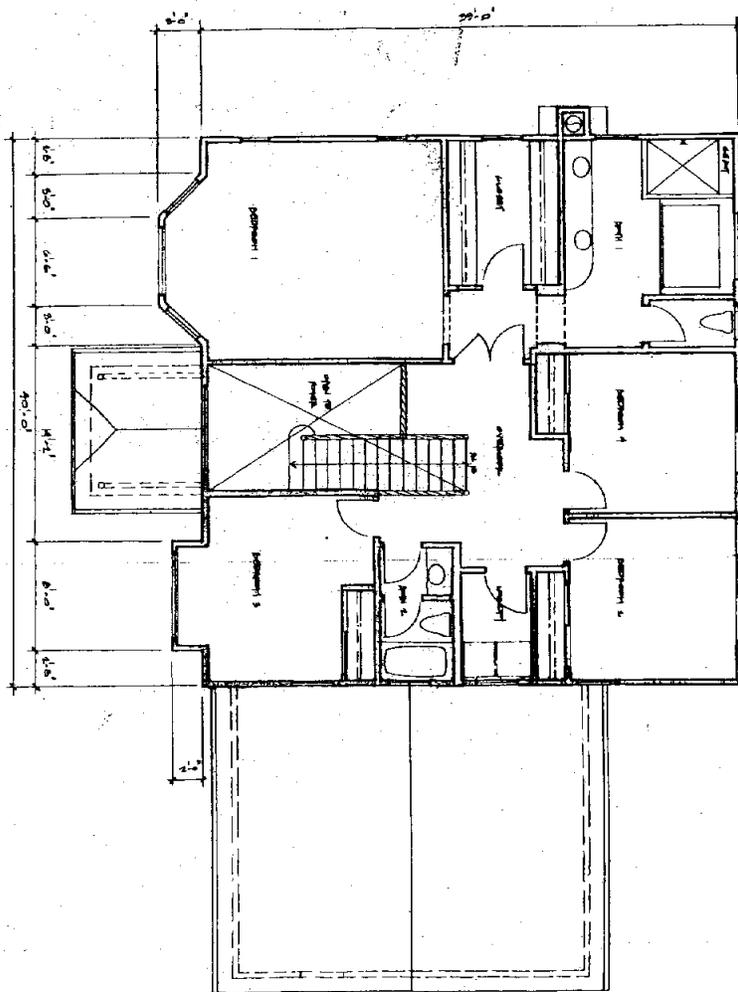
BUILDING SECTIONS

ARCHITECT
 James Reed Group
 87 Jeron Place
 Pleasant Hill, CA 94523
 925.263.3677

SUBMITTED SET 02

A

SECOND FLOOR PLAN, 1958 CONCRETE PART
1/4" = 1'-0"



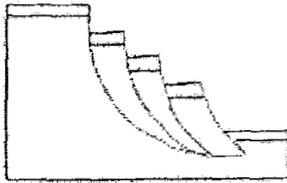
SHEET NUMBER
OF

Parcel A
657 Tenth Place, Suite
Orange, California 92668
Tel: 714-961-0404
Fax: 714-961-1234

SECOND FLOOR PLAN

ARCHITECT
James Reed Group
Of Jack's Place
P.O. Box 148, CA 92668
951.353.2677

SUBMITTED
SEP 06



CMAG ENGINEERING

2526 HOWE STREET, SANTA CRUZ, CALIFORNIA 95065

PHONE: 831.334.2812

FAX: 831.475.1411

WWW.CMAGENGINEERING.COM

November 4, 2008
Project No. 08-133-SC

Larry Busch
P.O. Box 67273
Scotts Valley, California 95067

SUBJECT: GEOTECHNICAL INVESTIGATION - DESIGN PHASE
Proposed 3 Lot Minor Land Division
587 Twin Pines Drive, Scotts Valley, Santa Cruz County, California
APN 067-041-24

Dear Mr. Busch:

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

Sincerely,

CMAG ENGINEERING

Adrian L. Garner, PE
Principal Engineer
R.C.E. 66087
Expires 6/30/10



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

1.0 INTRODUCTION

This report presents the results of our geotechnical investigation for a 3 lot minor land division for the construction of 2 new single family residences and the relocation of an existing single family residence at 587 Twin Pines Drive in Scotts Valley, Santa Cruz County, California.

The purpose of our investigation was to provide information regarding the surface and subsurface soil conditions and based on our findings provide geotechnical recommendations for the design and construction of the proposed single family residences. Conclusions and recommendations related to site grading, drainage, conventional shallow foundations, slabs-on-grade, retaining structures, and pavements are presented herein.

This work included site reconnaissance, subsurface exploration, soil sampling, laboratory testing, engineering analyses, and preparation of this report. The scope of services for this investigation is outlined in our proposal dated October 23, 2008.

The recommendations contained in this report are subject to the limitations presented in Section 8.0 of this report.

2.0 FIELD EXPLORATION AND LABORATORY TESTING PROGRAMS

Our field exploration program included drilling, logging, and interval sampling of 4 borings on October 28, 2008. The borings were advanced to depths ranging from 10.5± feet to 19.0± feet below existing grades. Details of the field exploration program, including the Boring Logs, Figures A-4 through A-7, are presented in Appendix A.

Representative samples obtained during the field investigation were taken to the laboratory for testing to determine physical and engineering properties. Details of the laboratory testing program are presented in Appendix B. Test results are presented on the Boring Logs and in Appendix B.

3.0 SITE DESCRIPTION

3.1 Location

The project site is located on the west side of Highway 17, north of Santa Cruz in Santa Cruz County, California. The site location is shown on the Site Location Map, Appendix A, Figure A-1.

3.2 Surface Conditions

The parcel is approximately 1 acre, irregular in shape, and slightly slopes to the southeast. An existing single family residence is located in the northeastern portion of the parcel. An existing driveway extends from Twin Pines Drive in the northwestern corner of the parcel and descends along the northern property line to the existing residence. The site in the vicinity of the existing residence is landscaped. The majority of the parcel is vegetated with pine trees.

3.3 Subsurface Conditions

Four borings were advanced in the vicinity of the proposed two single family residences and the relocated area of the existing single family residence.

The subsurface profile consisted of poorly graded sands with silt that varied in color, moisture content, and density. The near surface soils were generally loose and increased to medium dense within 4 to 6 feet below existing grade. The sand was generally fine grained.

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

Groundwater was not encountered during our field exploration.

Complete soil profiles are presented on the Boring Logs, Appendix A, Figures A-4 through A-7. The boring locations are shown on the Boring Location Plan, Figure A-2.

4.0 PROJECT DESCRIPTION

It is our understanding that the project consists of the construction of 2 new, two-story single family residences, the relocation of an existing single family residence, the construction of two new driveways, and associated improvements. Anticipated construction consists of wood frame walls and roofs, founded on conventional shallow foundation systems with concrete slab-on-grade garage floors.

It is our further understanding that the grading on the site will be minimal.

5.0 GEOTECHNICAL HAZARDS

5.1 General

In our opinion the geotechnical hazards that could potentially affect the proposed project are:

- Seismic shaking
- Collateral seismic hazards

5.2 Seismic Shaking

The seismic hazard due to seismic shaking in California is high in many areas, indicative of the number of large earthquakes that have occurred historically. Intense seismic shaking may occur at the site during the design lifetime of the proposed structure from an earthquake along one of the local fault systems. Generally, the intensity of shaking will increase the closer the site is to the epicenter of an earthquake, however, seismic shaking is a complex phenomenon and may be modified by local topography and soil conditions. The transmission of earthquake vibrations from the ground into the structure may cause structural damage.

The County of Santa Cruz has adopted the seismic provisions set forth in the 2007 California Building Code to address seismic shaking. The seismic provisions in the 2007 CBC are minimum load requirements for the seismic design for the proposed structure. The provisions set forth in the 2007 CBC will not prevent structural and nonstructural damage from direct fault ground surface rupture, coseismic ground cracking, liquefaction and lateral spreading, seismically induced differential compaction, seismically induced landsliding, or seismically induced inundation.

Table 1 has been constructed based on the 2007 CBC requirements for the seismic design of the proposed structure. The Site Class has been determined based on our field investigation and laboratory testing.

Table 1. Seismic Design Parameters

S_s	S_1	Site Class	F_a	F_v	S_{MS}	S_{M1}	S_{DS}	S_{D1}	Occupancy Category	Seismic Design Category
1.500	0.610	D	1.0	1.5	1.500	0.916	1.000	0.610	II	D

5.3 Collateral Seismic Hazards

In addition to seismic shaking, other seismic hazards that may have an adverse affect to the site and/or the structure are: fault ground surface rupture, coseismic ground cracking, seismically induced liquefaction and lateral spreading, seismically induced differential compaction, seismically induced landsliding, and seismically induced inundation (tsunami and seiche). It is our opinion that the potential for collateral seismic hazards to affect the site, and to damage the proposed structure is low.

6.0 DISCUSSIONS AND CONCLUSIONS

The site is generally underlain by poorly graded sands with silt that vary from loose to dense, however are generally loose in the upper 4 to 6 feet. The near surface poorly graded sand with silt should be considered to be highly erodible.

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

7.0 RECOMMENDATIONS

7.1 General

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

We recommend that the proposed single family residences be founded on conventional shallow foundation systems.

To alleviate the potential for differential settlements due to the near surface loose poorly graded sand with silt, two alternative recommendations are included herein. The first alternative consists of placing the foundation systems on compacted engineered fill. The second alternative consists of placing the foundation system into the native soils and limiting the allowable bearing capacity based on anticipated settlements. Earthwork recommendations are presented in Subsection 7.2.2. Foundation recommendations are presented in Subsection 7.3.

Note: If footings are excavated into the native soils, caving may present a problem during construction. Wetting the soil prior to excavating may help prevent caving.

Earthwork recommendations are provided in Subsection 7.2.2 for the concrete slab-on-grade garage floors and the driveways.

7.2 Site Grading

7.2.1 Site Clearing

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

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

Holes resulting from the removal of buried obstructions that extend below finished site grades should be backfilled with compacted engineered fill compacted to the requirements of Subsection 7.2.2.

7.2.2 Preparation of On-Site Soils

If the overexcavation and recompaction option is chosen beneath conventional shallow foundations, the native soil should be overexcavated a minimum of 1 foot below the bottom of the footing, or 1.5 feet below existing grade, whichever is greater. The exposed surface should then be scarified, moisture conditioned, and compacted to a minimum of 90 percent relative compaction. The material which was removed should then be replaced with engineered fill compacted to a minimum of 90 percent relative compaction. This zone of reworking shall extend a minimum of 3 feet laterally beyond the conventional shallow foundation footprint.

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

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

Beneath new fills, the native soil should be removed to a minimum of 1 foot below existing grade. The exposed surface should then be scarified, moisture conditioned, and compacted to a minimum of 90 percent relative compaction. The material which was removed should then be replaced as engineered fill compacted to a minimum of 90 percent relative compaction.

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

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

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

Any surface or subsurface obstruction, or questionable material encountered during grading, should be brought immediately to the attention of the Geotechnical Consultant for proper processing as required.

7.2.3 Cut and Fill Slopes

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

7.2.4 Utility Trenches

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

The on-site native soils may be utilized for trench backfill. Imported fill should be free of organic material and rocks over 2.5 inches in diameter. If sand is used, a 3 foot concrete plug should be placed in each trench where it passes under the exterior footings.

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

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

Trenches should be capped with 1.5± feet of impermeable material. Import material must be approved by the Geotechnical Consultant prior to its use.

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

7.2.5 Vibration During Compaction

The proposed residences are within close proximity to each other. If the residences are constructed in stages, the contractor should take all precautionary measures to minimize vibration on the site during grading operations. It is the contractor's responsibility to insure that the process in which the engineered fill is placed does not adversely affect the proposed residences and the neighboring parcels.

7.2.6 Excavating Conditions

We anticipate that excavation of the on-site soils may be accomplished with standard earthmoving and trenching equipment. Caving should be anticipated during excavation due to the loose, relatively dry native sands. Wetting the soil prior to excavating may help prevent caving.

7.2.7 Surface Drainage

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

All roof eaves should be guttered with the outlets from the downspouts provided with adequate capacity to carry the storm water away from the structure to reduce the possibility of soil saturation and erosion.

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

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

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

7.3 Foundations

7.3.1 Conventional Shallow Foundations Founded on Compacted Engineered Fill

We recommend that conventional shallow foundations be founded on compacted engineered fill per Subsection 7.2.2.

Footing widths should be based on the allowable bearing value but not less than 12 inches for 1 story and 15 inches for 2 story structures.

The minimum recommended depth of embedment is 24 inches for exterior wall footings. Interior footings depths should be at least 12 inches for 1 story and 18 inches for 2 story sections. Embedment depths should not be allowed to be affected adversely, such as through erosion, softening, digging, etc. Should local building codes require deeper embedment of the footings or wider footings, the codes must apply.

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

Passive pressures as outlined in Table 2, Subsection 7.4.3 may be assumed for design purposes. Neglect passive pressure in the top 12 inches of soil.

Friction coefficient - 0.45, between surface near poorly graded sand with silt and rough concrete.

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

7.3.2 Conventional Shallow Foundations Founded Into Native Soils

Footing widths should be based on the allowable bearing value but not less than 12 inches for 1 story and 15 inches for 2 story structures.

The minimum recommended depth of embedment for both interior and exterior footings is 24 inches below finished grade or 24 inches below existing grade, whichever is greater. Embedment depths should not be allowed to be affected adversely, such as through erosion, softening, digging, etc. Should local building codes require deeper embedment of the footings or wider footings, the codes must apply.

Note: If footings are excavated into the native soils, caving may present a problem during construction. Wetting the soil prior to excavating may help prevent caving.

The allowable bearing capacity used should not exceed 1500 psf. The allowable bearing capacity may be increased by one-third in the case of short duration loads, such as those induced by wind or seismic forces. In the event that footings are founded in structural fill consisting of imported materials, the allowable bearing capacities will depend on the type of these materials and should be re-evaluated.

Passive pressures as outlined in Table 2, Subsection 7.4.3 may be assumed for design purposes. Neglect passive pressure in the top 18 inches of soil.

Friction coefficient - 0.45, between near surface poorly graded sand with silt and rough concrete.

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

7.3.3 Concrete Slabs-on-Grade

We recommend that concrete slab-on-grade be founded on compacted engineered fill per Subsection 7.2.2. The subgrade should be proof-rolled just prior to construction to provide a firm, relatively unyielding surface, especially if the surface has been loosened by the passage of construction traffic.

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

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

7.3.4 Settlements

Total and differential settlements beneath conventional shallow foundations and concrete slab-on-grade garage floors are expected to be within tolerable limits. Vertical movements are not expected to exceed 1 inch. Differential movements are expected to be within the normal range (½ inch) for the anticipated loads and spacings. These preliminary estimates should be reviewed by the Geotechnical Consultant when foundation plans for the proposed structures become available.

7.4 Retaining Structures

7.4.1 General

Recommendations for retaining wall foundations can be provided upon request. The foundation recommendations provided for site retaining walls are dependent on the proposed location and configuration.

7.4.2 Lateral Pressure Due to Earthquake Motions

For design purposes, the lateral pressure on flexible retaining walls due to earthquake motions is $10H^2$ lbs/horizontal foot, acting at a point $0.6H$ above the wall base, where H is the height of the wall in feet.

For design purposes, the lateral pressure on rigid retaining walls due to earthquake motions is $16H^2$ lbs/horizontal foot, acting at a point $0.6H$ above the wall base, where H is the height of the wall in feet.

7.4.3 Lateral Earth Pressures

The lateral earth pressures presented in Table 2 are recommended for the design of retaining structures with a gravel blanket and backfill soils of expansivity not higher than Medium. The values presented in Table 2 are based on the near surface poorly graded sands with silt.

Table 2. Lateral Earth Pressures

Soil Profile (H:V)	Equivalent Fluid Pressure (psf/ft)		
	Active Pressure	Passive Pressure	At-Rest Pressure
Level	38	291	59
6:1	40	272	68
3:1	45	222	77

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

7.4.4 Backfill

Backfill should be placed under engineering control. Backfill should be compacted per Subsection 7.2.2, however, precautions should be taken to ensure that heavy compaction equipment is not used immediately adjacent to walls, so as to prevent undue pressures against, and movement of, the walls.

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

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

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

7.4.5 Backfill Drainage

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

Backdrains should consist of 4 inch diameter SDR 35 PVC perforated pipe or equivalent, embedded in 3/8 inch to 3/4 inch, clean crushed gravel, enveloped in **Mirafi Filterweave 300** or approved equivalent. The drain should be a minimum of 18 inches in thickness and should extend to within 12 inches from the surface. The upper 12 inches should be capped with relatively impermeable material. The pipe should be 4± inches above the trench bottom; a gradient of 2± percent being provided to the pipe and trench bottom; discharging into suitably protected outlets. See Figure 2 for the standard detail for the backdrain.

Perforations in backdrains are recommended as follows: 3/8 inch diameter, in 2 rows at the ends of a 120 degree arc, at 3 inch centers in each row, staggered between rows, placed downward.

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

An unobstructed outlet should be provided at the lower end of each segment of backdrain. The outlet should consist of an unperforated pipe of the same diameter, connected to the perforated pipe and extended to a protected outlet at a lower elevation on a continuous gradient of at least 1 percent.

7.5 Plan Review

The recommendations presented in this report are based on preliminary design information for the proposed project and on the findings of our geotechnical investigation. When completed, the Grading Plans, Foundation Plans and design loads should be reviewed by CMAG Engineering prior to submitting the plans and contract bidding. Additional field exploration and laboratory testing may be required upon review of the final project design plans.

7.6 Observation and Testing

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

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

8.0 LIMITATIONS

The recommendations contained in this report are based on our field explorations, laboratory testing, and our understanding of the proposed construction. The subsurface data used in the preparation of this report was obtained from the borings drilled during our field investigation. Variation in soil, geologic, and groundwater conditions can vary significantly between sample locations. As in most projects, conditions revealed during construction excavation may be at variance with preliminary findings. If this occurs, the changed conditions must be evaluated by the Project Geotechnical Consultant and the Geologist, and revised recommendations be provided as required. In addition, if the scope of the proposed construction changes from the described in this report, our firm should also be notified.

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

This report is issued with the understanding that it is the responsibility of the Owner, or of his Representative, to ensure that the information and recommendations contained herein are brought to the attention of the Architect and Engineer for the project and incorporated into the plans, and that it is ensured that the Contractor and Subcontractors implement such recommendations in the field. The use of information contained in this report for bidding purposes should be done at the Contractor's option and risk.

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

The findings of this report are considered valid as of the present date. However, changes in the conditions of a site can occur with the passage of time, whether they be due to natural events or to human activities on this or adjacent sites. In addition, changes in applicable or appropriate codes and standards may occur, whether they result from legislation or the broadening of knowledge. Accordingly, this report may become invalidated wholly or partially by changes outside our control. Therefore, this report is subject to review and revision as changed conditions are identified.

The scope of our services mutually agreed upon did not include any environmental assessment or study for the presence of hazardous to toxic materials in the soil, surface water, or air, on or below or around the site. CMAG Engineering is not a mold prevention consultant; none of our services performed in connection with the proposed project are for the purpose of mold prevention. Proper implementation of the recommendations conveyed in our reports will not itself be sufficient to prevent mold from growing in or on the structures involved.

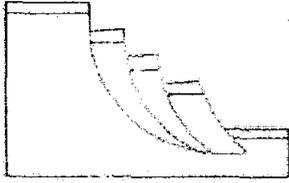
REFERENCES

- American Society of Civil Engineers (2005). *Minimum Design Loads for Buildings and Other Structures*. ASCE Standard 7-05.
- ASTM International (2006). *Annual Book of ASTM Standards, Section Four, Construction*. Volume 4.08, Soil and Rock (I): D 430 - D 5611.
- ASTM International (2006). *Annual Book of ASTM Standards, Section Four, Construction*. Volume 4.09, Soil and Rock (II): D 5714 - Latest.
- Brabb, E.E. (1989). *Geologic Map of Santa Cruz County, California*. U.S. Geological Survey Miscellaneous Investigation Series, Map I-1905, scale 1:62500.
- International Code Council (2007). *California Building Code*. Volume 2.

FIGURES AND STANDARD DETAILS

Surcharge Pressure Diagram Figure 1

Typical Backdrain Detail Figure 2



C M A G E N G I N E E R I N G

2526 HOWE STREET, SANTA CRUZ, CALIFORNIA 95065

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FAX: 831.475.1411

WWW.CMAGENGINEERING.COM

May 14, 2009
Project No. 08-133-SC

Larry Busch
P.O. Box 67273
Scotts Valley, California 95067

SUBJECT: GEOTECHNICAL PLAN REVIEW
Proposed 3 Lot Minor Land Division
587 Twin Pines Drive, Scotts Valley, Santa Cruz County, California
APN 067-041-24

REFERENCE: CMAG Engineering (November 4, 2008). *Geotechnical Investigation - Design Phase, Proposed 3 Lot Minor Land Division, 587 Twin Pines Drive, Scotts Valley, Santa Cruz County, California, APN 067-041-24, Project No. 08-133-SC.*

Dear Mr. Busch:

1.0 INTRODUCTION

Per your request, we have reviewed the following plans for the subject project:

- Ifland Engineers (May 5, 2009). *Proposed Minor Land Division, 587 Twin Pines Drive, Scotts Valley, California.* Sheets TM1 through TM6, Sheet 1, Job No. 06049.

The purpose of our review was to ensure the conformance of the geotechnical aspects of the plans with the geotechnical conditions present on the site and with the recommendations provided in the referenced report.

2.0 CONCLUSIONS AND RECOMMENDATIONS

It is our opinion that the plan reviewed is in general conformance with the geotechnical conditions present and with the recommendations presented in the referenced report. The proposed project is considered feasible from the geotechnical standpoint provided the site is graded in conformance with the referenced report and the Santa Cruz County Grading Code. The recommendations presented herein and in the referenced report should not be considered to preclude more restrictive criteria by the governing agencies or by structural considerations.

The subgrade preparation as outlined in the referenced report should be indicated on the plans for the proposed foundation systems and driveways. It is our opinion that the outline of the area disturbed by construction as indicated on Sheet 1 of the referenced plan set is suitable for the earthwork recommendations outlined in the referenced report.

Observation and testing services should be provided by CMAG Engineering during construction of the subject project. All earthwork must be observed and approved by CMAG Engineering. Any earthwork performed without the full knowledge and observation of CMAG Engineering will render the recommendations of this review invalid. During grading, all excavation, fill placement and compaction operations should be observed and field density testing should be performed to evaluate the suitability of the fill, and to determine that the applicable recommendations are incorporated during construction.

3.0 LIMITATIONS

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

As in most projects, conditions revealed during construction may be at variance with preliminary findings. Should this occur, the changed conditions must be evaluated by CMAG Engineering and revised recommendations provided as required.

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

Geotechnical Plan Review
587 Twin Pines Drive
Santa Cruz County, California

May 14, 2009
Project No. 08-133-SC
Page 3

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

The findings of this review are considered valid as of the present date. However, changes in the conditions of a site can occur with the passage of time, whether due to natural events or human activity on this or adjacent sites. In addition, changes in applicable or appropriate codes and standards may occur as a result of legislation or a broadening of knowledge. Accordingly, this review may become invalidated, wholly or partially, by changes outside our control. Therefore, this report is subject to review and revision as changed conditions are identified.

It is a pleasure being associated with you on this project. If you have any questions or if we may be of further assistance please do not hesitate to contact our office.

Sincerely,

CMAG ENGINEERING



Adrian L. Garner, CE, GE
Principal Engineer
CE 66087, GE 2814
Expires 6/30/10

Distribution: (4) Addressee



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

TOM BURNS, PLANNING DIRECTOR

January 13, 2009

Larry and Karen Busch
PO Box 67273
Scotts Valley, CA, 95067

Subject: Review of Geotechnical Investigation by CMAG Engineering
Dated November 4, 2008; Project #: 08-133-SC
APN 067-041-24, Application #: 08-0534

Dear Applicant:

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

1. All construction shall comply with the recommendations of the report.
2. Final plans shall reference the report and include a statement that the project shall conform to the report's recommendations. Plans shall also provide a thorough and realistic representation of all grading necessary to complete this project
3. Prior to building permit issuance a *plan review letter* shall be submitted to Environmental Planning. The author of the report shall write the *plan review letter*. The letter shall state that the project plans conform to the report's recommendations.
4. Please provide an electronic copy of the soils report and addendum in .pdf format. This document may be submitted on compact disk or emailed to carolyn.banti@co.santa-cruz.ca.us.

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

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

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

Please call the undersigned at (831) 454-5121 if we can be of any further assistance.

Sincerely,

Carolyn Banti
Associate Civil Engineer

Cc: Robin Bolster-Grant, Project Planner
CMAG Engineering

(over)

**NOTICE TO PERMIT HOLDERS WHEN A SOILS REPORT HAS BEEN PREPARED, REVIEWED
AND ACCEPTED FOR THE PROJECT**

After issuance of the building permit, the County requires your soils engineer to be involved during construction. Several letters or reports are required to be submitted to the County at various times during construction. They are as follows:

1. **When a project has engineered fills and / or grading,** a letter from your soils engineer must be submitted to the Environmental Planning section of the Planning Department prior to foundations being excavated. This letter must state that the grading has been completed in conformance with the recommendations of the soils report and per the requirements of the 2007 California Building Code. Compaction reports or a summary thereof must be submitted.
2. **Prior to placing concrete for foundations,** a letter from the soils engineer must be submitted to the building inspector and to Environmental Planning stating that the soils engineer has observed the foundation excavation and that it meets the recommendations of the soils report.
3. **At the completion of construction,** a final letter from your soils engineer is required to be submitted to Environmental Planning that summarizes the observations and the tests the soils engineer has made during construction. The final letter must also state the following: "Based upon our observations and tests, the project has been completed in conformance with our geotechnical recommendations."

If the *final soils letter* identifies any items of work remaining to be completed or that any portions of the project were not observed by the soils engineer, you will be required to complete the remaining items of work and may be required to perform destructive testing in order for your permit to obtain a final inspection.



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 www.iflandengineers.com

Civil Engineering | Structural Design | Development Planning

Job 06049 Larry Busch-M.L.D. 08-0534
 Calculated by GHI
 Sheet 1 of 20
 Date 5/5/09 Revised 6/29/09

Storm Drainage Calculations And Report

The upstream area collecting along Twin Pines Drive and the subject one acre project site collects into an A.C. paved ditch on the east side of Tan Oak Drive. The area is sparsely developed in single family residences. The upstream 6.5 acres, which is adjacent to the Kaiser Sand Quarry and the project site have very sandy and porous soil.

Storm Runoff:

$$\begin{aligned}
 Q_{25} &= (CIA) \\
 &= (0.45)(2.45)(7.5)(1.25) \\
 &= 10.35 \text{ cubic feet per second (c.f.s.)}
 \end{aligned}$$

The existing paved ditch is 4' wide and 1' deep with a maximum flow of 55 c.f.s. The proposed culverts at the driveways that would replace the ditch would be 15" reinforced concrete pipe with a slope of 8.0%. The maximum flow capacity would be 16.99 c.f.s., which is more than adequate to handle the upstream runoff.

Downstream at the adjacent site, the property owner has installed two 12" C.M.P.s and one 15" C.M.P. in the existing paved ditch so that vehicles can cross over the ditch to access the site. The upper most 12" C.M.P. has a slope of 6.2% with a flow capacity of 7.66 c.f.s. In addition there is a paved trough alongside the pipe (see photo 1) that is 5.5" deep and 20" wide (0.78 s.f.) sloping at 6.3% with a flow capacity of 4.80 c.f.s. The total flow for the pipe and trough is 13.79 c.f.s., which is adequate to handle the anticipated maximum flow of 10.35 c.f.s.

The next downstream pipe is a 15" C.M.P. with a slope of 4.8% and flow capacity of 7.67 c.f.s. Along side the pipe there is a paved swale at the edge of the road that is 4 feet wide and 0.12' deep (0.25 s.f.) sloping at 4.8% for a flow capacity of 0.71 c.f.s. The total flow for the pipe and swale is 8.38 c.f.s. which is not adequate for the maximum flow of 10.35 c.f.s.

The last downstream pipe is a 12" C.M.P. capacity of 4.44 c.f.s. in addition there is a paved swale along the edge of the road 4 feet wide and 0.33' deep (0.66 s.f.) sloping at 5.3% for a flow capacity of 3.80 c.f.s. The total flow for the pipe and swale is 8.24 c.f.s. which is not adequate for the maximum flow of 10.35 c.f.s.

Therefore, the existing culverts at the driveways are undersized for a 25 year storm but adequate for a 10 year storm of 8.25 c.f.s. Some improvements may be required to increase the capacities of these culverts.

The paved ditch continues to and along the westerly side of Lockwood Lane to a 'GO' type catch basin which was installed as part of the City of Scotts Valley 1988 Storm Drainage Master Plan, prepared by Leedshill-Herkenhoff Engineers. From the catch basin, a 24" R.C.P. crosses Lockwood Lane to another catch basin at the southeasterly corner of Estrella Drive. From that point a 36" pipe connects to a 42" pipe and from there to a 48" pipe that crosses Mount Hermon Road and discharges into Bean Creek. (See attached Sheets B-6, B-5, and C-5 of the Master Plan) (See attached letter from City of Scotts Valley, Department of Public Works) (See attached photos)



CITY OF SCOTTS VALLEY

PUBLIC WORKS DEPARTMENT

701 Lundy Lane Scotts Valley, California 95066
Phone 831.438.5854 Facsimile 831.439.9748

June 24, 2009

Travis Rieber
Santa Cruz County Stormwater Management
701 Ocean St., 4th Floor
Santa Cruz, CA 95060

Dear Travis,

I have reviewed the proposed subdivision at the corner of Tan Oak Dr. and Twin Pines Dr. in the county of Santa Cruz. Reviewing the project in the field as well as the City's 1988 Master Drainage Plan, I have found that the storm drains along Lockwood Lane are adequate to serve the drainage basin and this project will not adversely affect our drainage system. If you have any questions, feel free to call me at the above number.

Sincerely,

Ken D. Anderson
Public Works Director/City Engineer

ca



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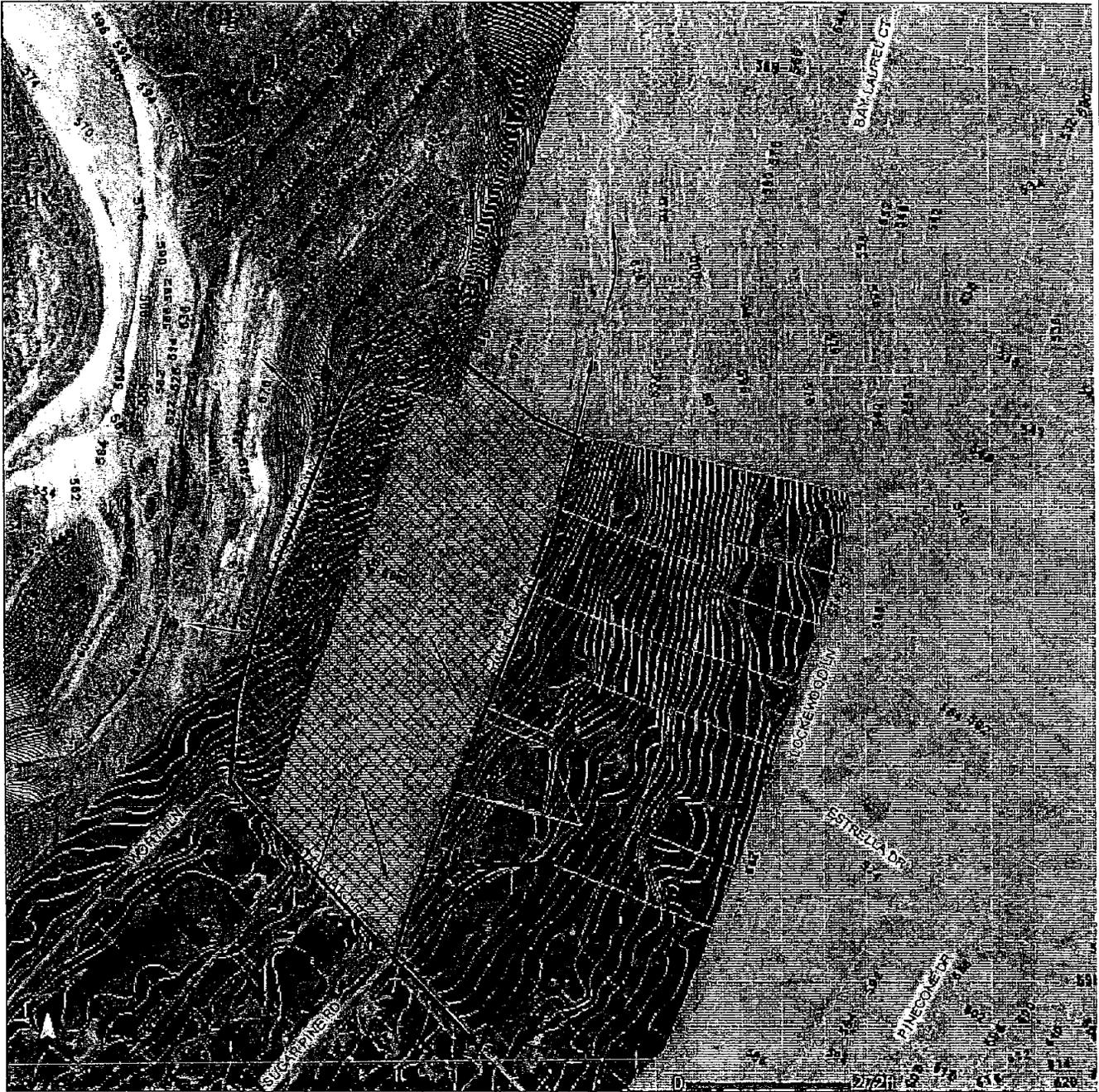
JOB NO. 06049 SHEET 1 OF 1

DESCRIPTION TOPOGRAPHIC MAP

SCALE: NONE DATE 05/05/09

CALCULATED BY GLEN

Topographic Map



AREA DRAINING TO PAVED
DITCH ON EAST SIDE OF TAN
OAK DRIVE - 6.5 ACRES

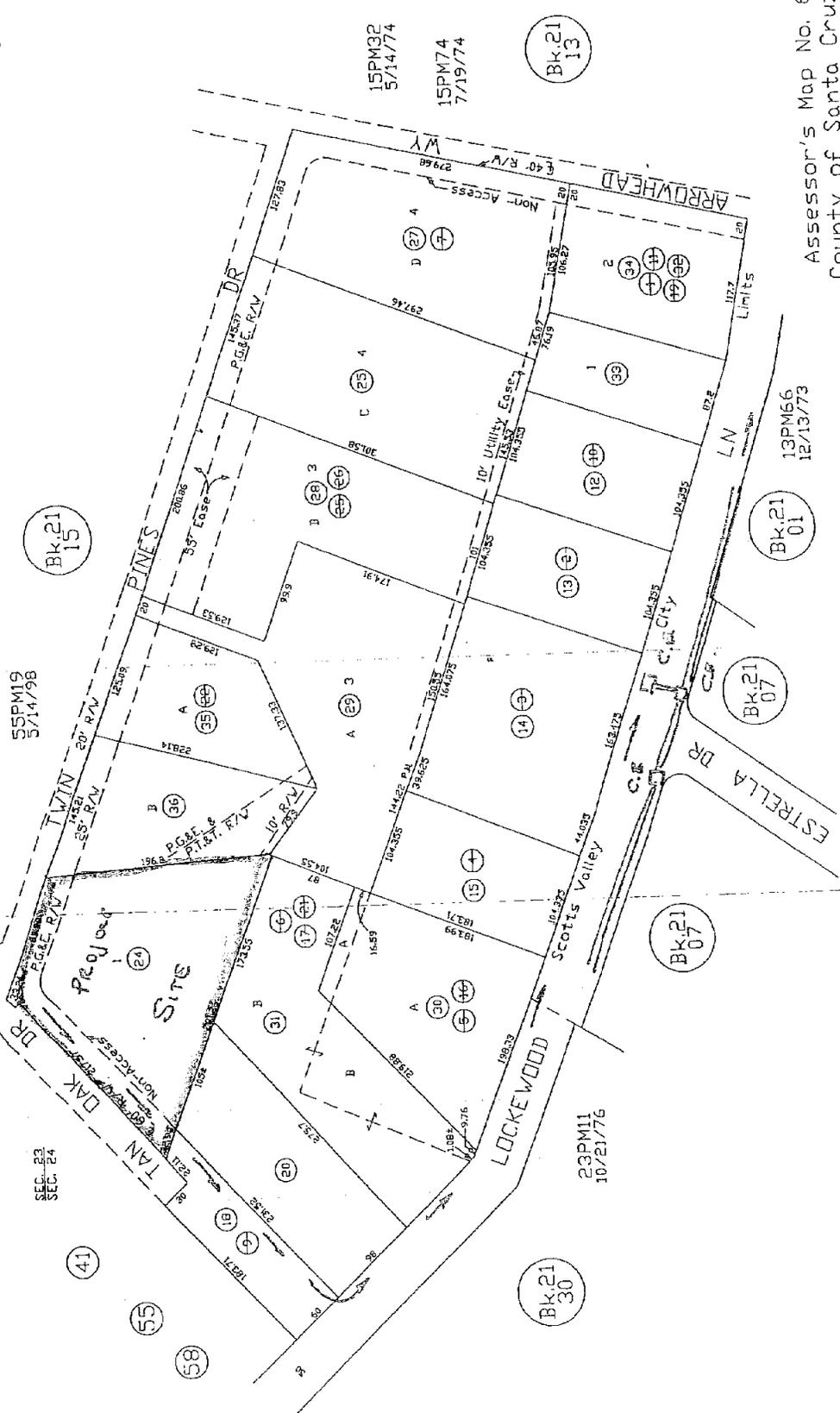
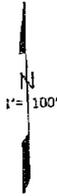
Subject Site

FOR TAX PURPOSES ONLY
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PDR, SAN AUGUSTINE RANCHO
SECS. 23 & 24, T.10S., R.12W., M.D.B. & M.

Tax Area Code
94-016

67-04



15PM32
5/14/74
15PM74
7/19/74

Bk.21
13

Bk.21
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13PM66
12/13/73
Bk.21
01

Bk.21
07

Bk.21
07

Bk.21
30

Assessor's Map No. 67-04
County of Santa Cruz, Calif.
July 1999

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

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

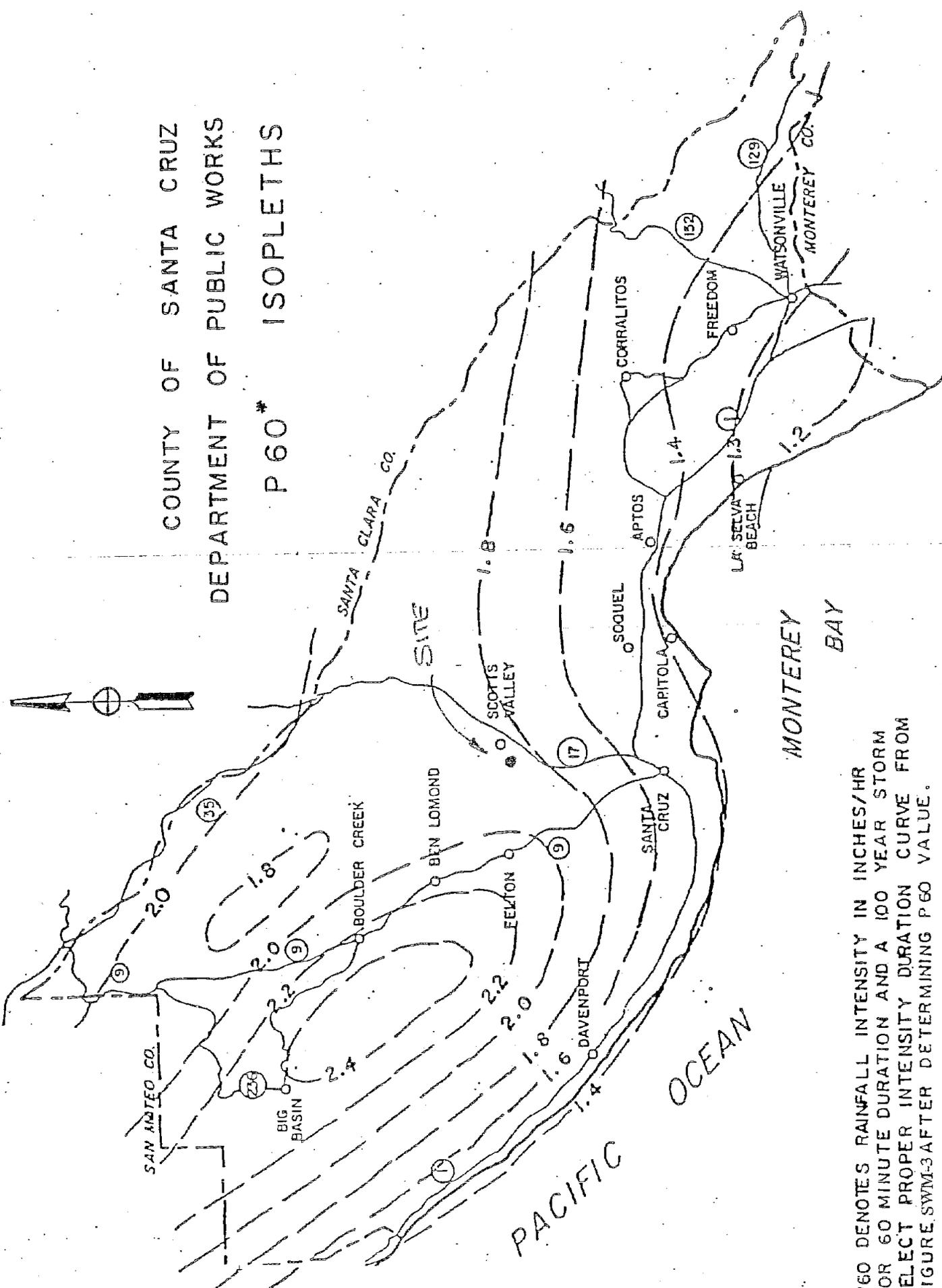
REQUIRED ANTECEDENT MOISTURE FACTORS
(Ca) FOR THE RATIONAL METHOD*

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

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

*APWA Publication "Practices in Detention of Stormwater Runoff"

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

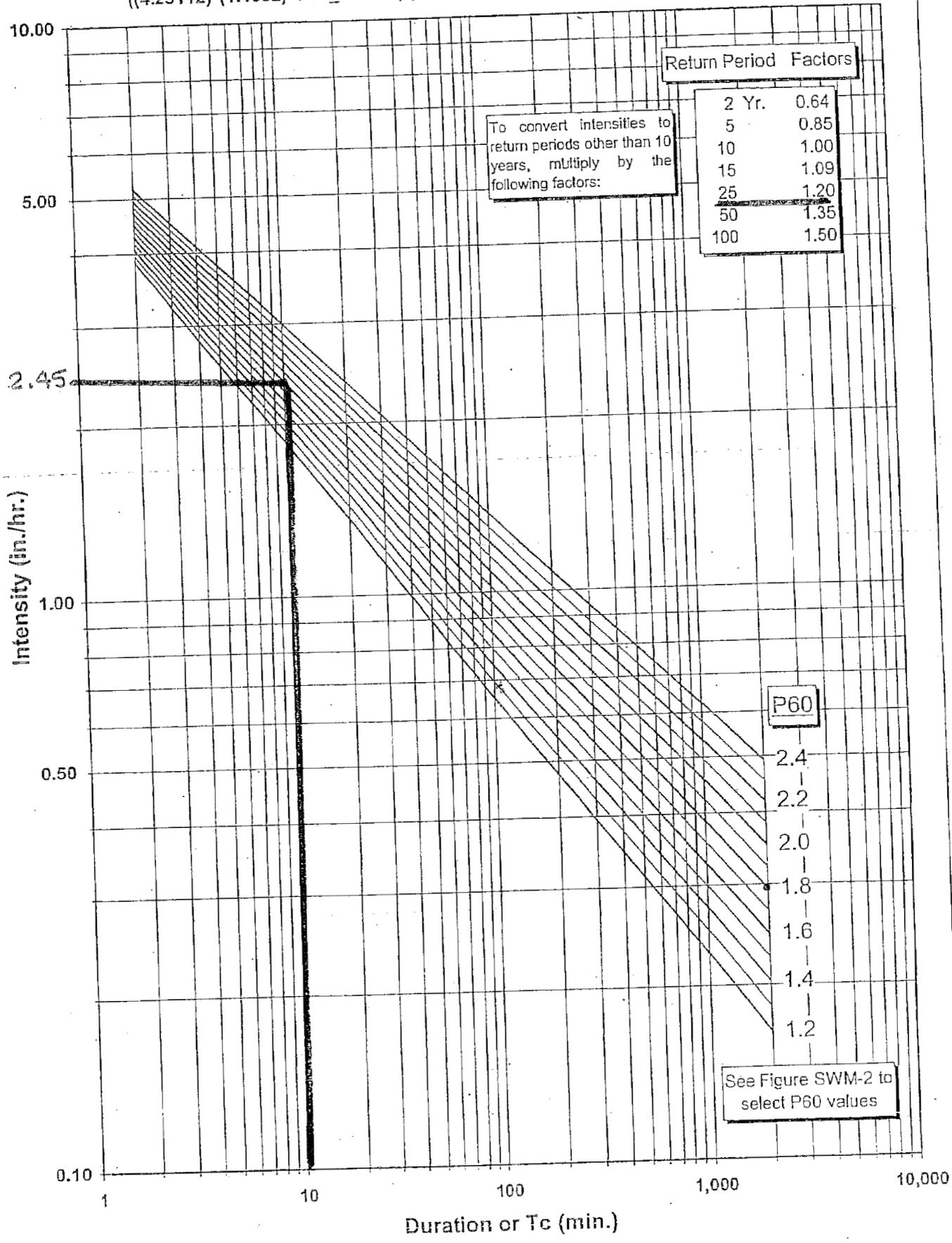


*P60 DENOTES RAINFALL INTENSITY IN INCHES/HR FOR 60 MINUTE DURATION AND A 100 YEAR STORM SELECT PROPER INTENSITY DURATION CURVE FROM FIGURE SWM-3 AFTER DETERMINING P60 VALUE.

Rainfall Intensity - Duration Curves

10 Yr. Return Period

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



CULVERT AT PROPOSED DRIVEWAYS

tmp#2.txt

Manning Pipe Calculator

Given Input Data:

Shape Circular
Solving for Flowrate
Diameter 15.0000 in ← CONCRETE PIPE
Depth 13.8000 in
Slope 0.0800 ft/ft ←
Manning's n 0.0150 ←

Computed Results:

Flowrate 16.9953 cfs ←
Area 1.2272 ft²
Wetted Area 1.1812 ft²
Wetted Perimeter 38.5212 in
Perimeter 47.1239 in
Velocity 14.3882 fps
Hydraulic Radius 4.4155 in
Percent Full 92.0000 %
Full flow Flowrate 15.8349 cfs
~~Full flow velocity 12.9035 fps~~

EXISTING 12" C.M.F. - DOWNSTREAM
FROM PROJECT SITE
tmp#1.txt

Manning Pipe Calculator

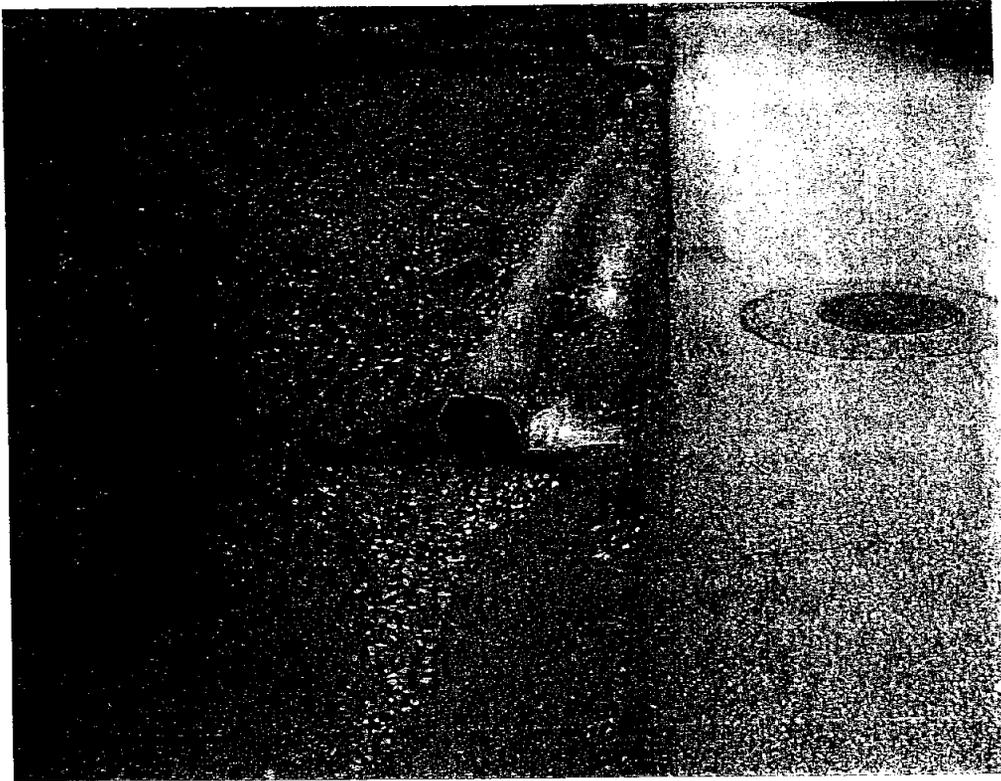
Given Input Data:

Shape Circular
Solving for Flowrate
Diameter 12.0000 in 
Depth 11.0400 in
Slope 0.0800 ft/ft 
Manning's n 0.0240 

Computed Results:

Flowrate 5.8584 cfs 
Area 0.7854 ft2
Wetted Area 0.7560 ft2
Wetted Perimeter 30.8170 in
Perimeter 37.6991 in
Velocity 7.7496 fps
Hydraulic Radius 3.5324 in
Percent Full 92.0000 %
Full flow Flowrate 5.4584 cfs
Full flow velocity 6.9499 fps

1. Inlet end of 12" C.M.P. just south of project site on Tan Oak Drive



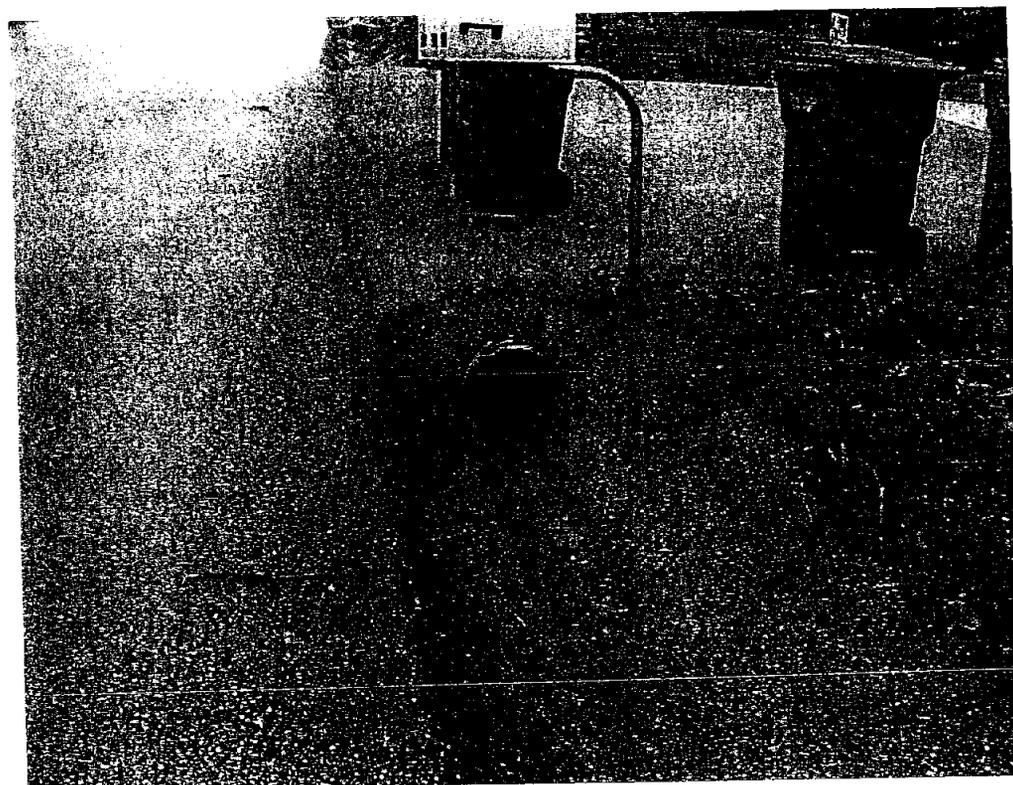
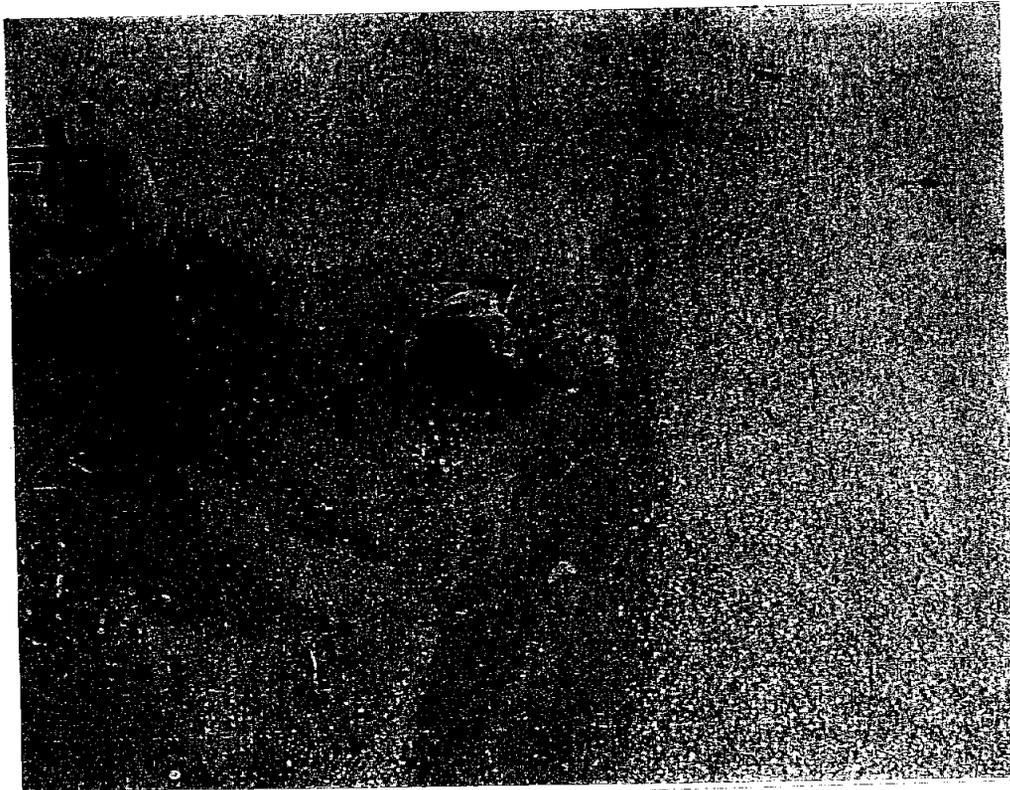
2. Outlet end of 12" C.M.P. just south of project site on Tan Oak Drive

3. 12" R.C.P. to be removed from A. C. paved ditch



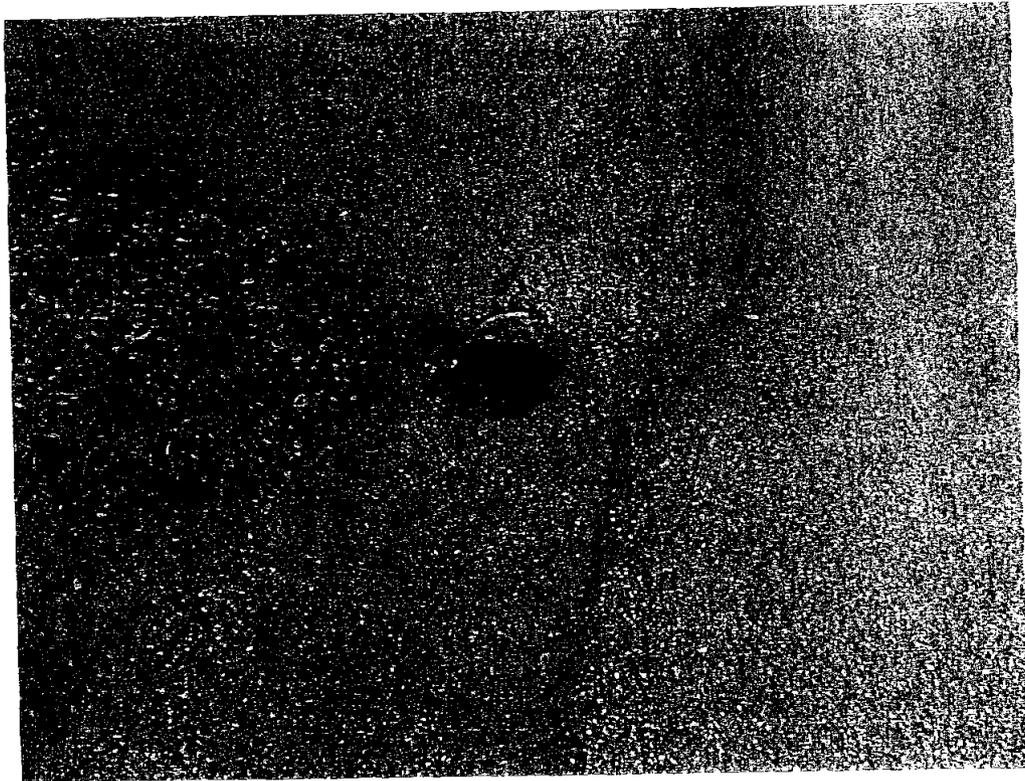
4. 12" R.C.P. to be removed from A.C. paved ditch

5. Inlet end of ~~12~~¹⁵ C.M.P at driveway down slope from project sign



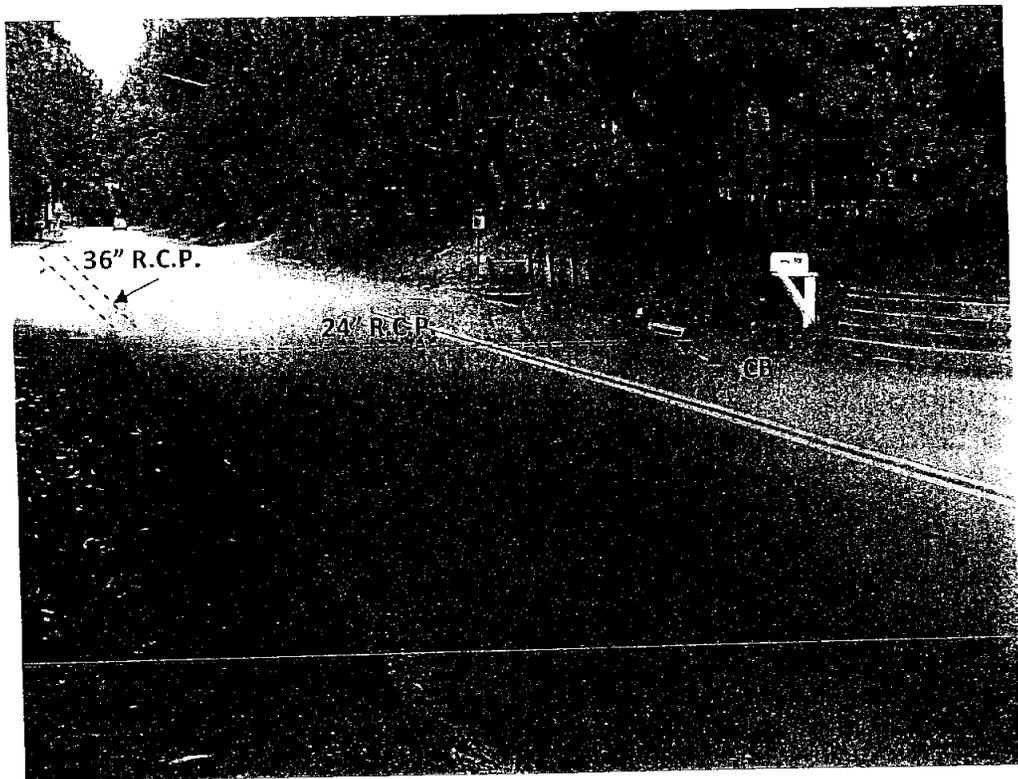
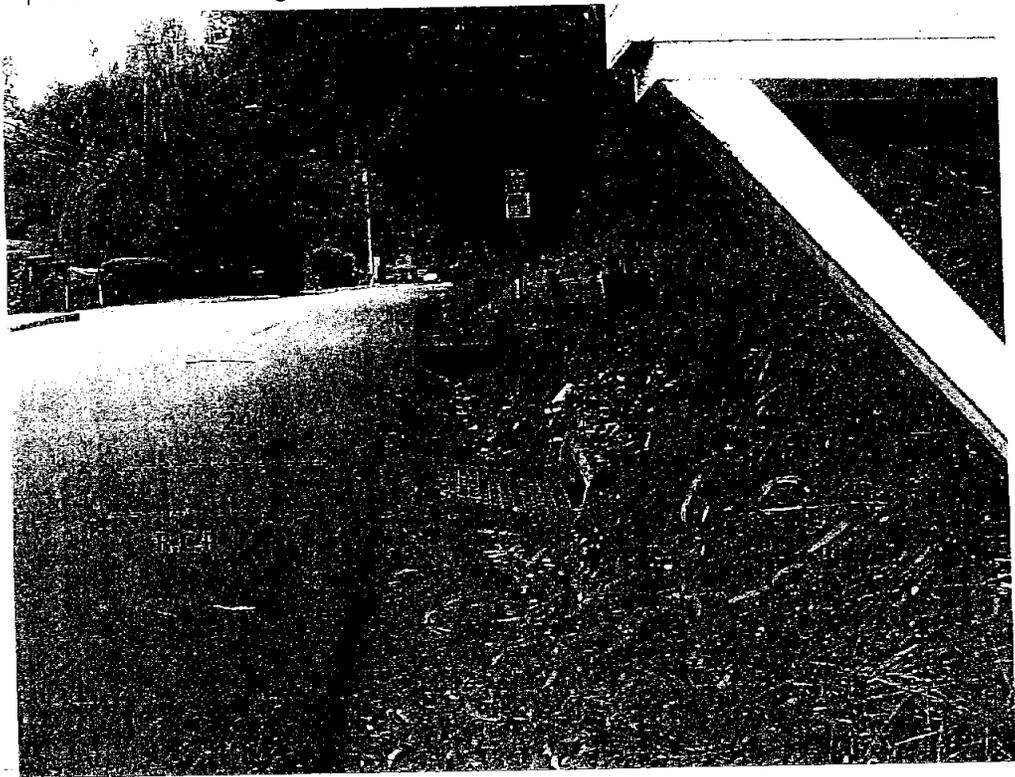
6. Outlet end of ~~12~~¹⁵ C.M.P. at driveway down slope of project site

7. 12" C.M.P. under driveway just north of Lockwood Lane on Tan Oak Drive



8. Ditch along northerly side of Lockwood Lane at corner of Tan Oak Drive

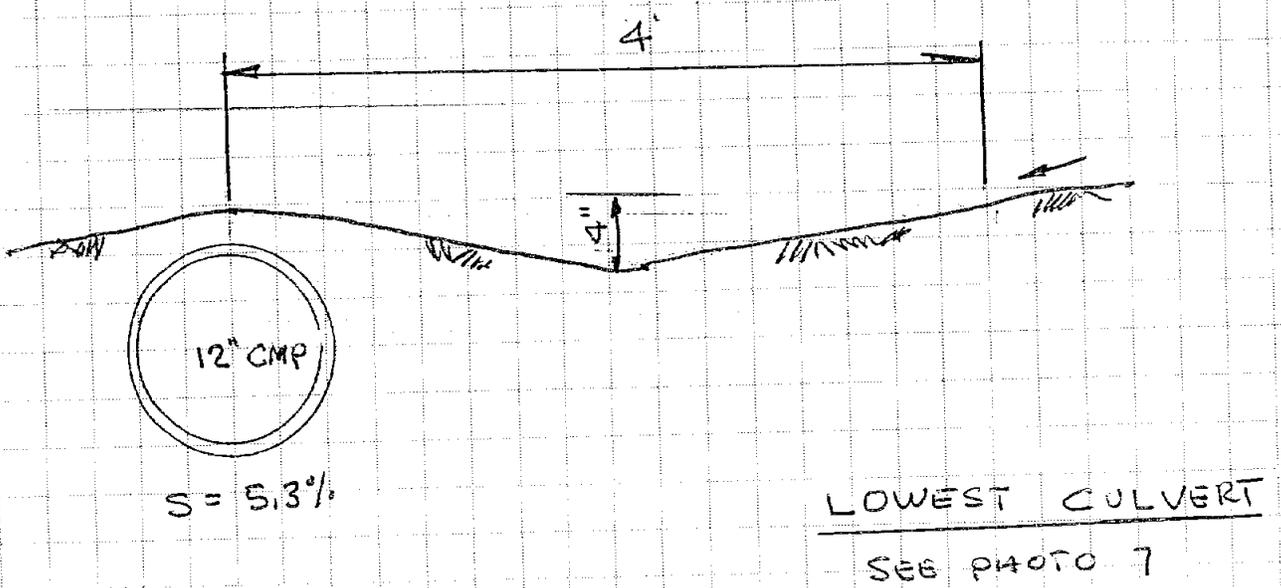
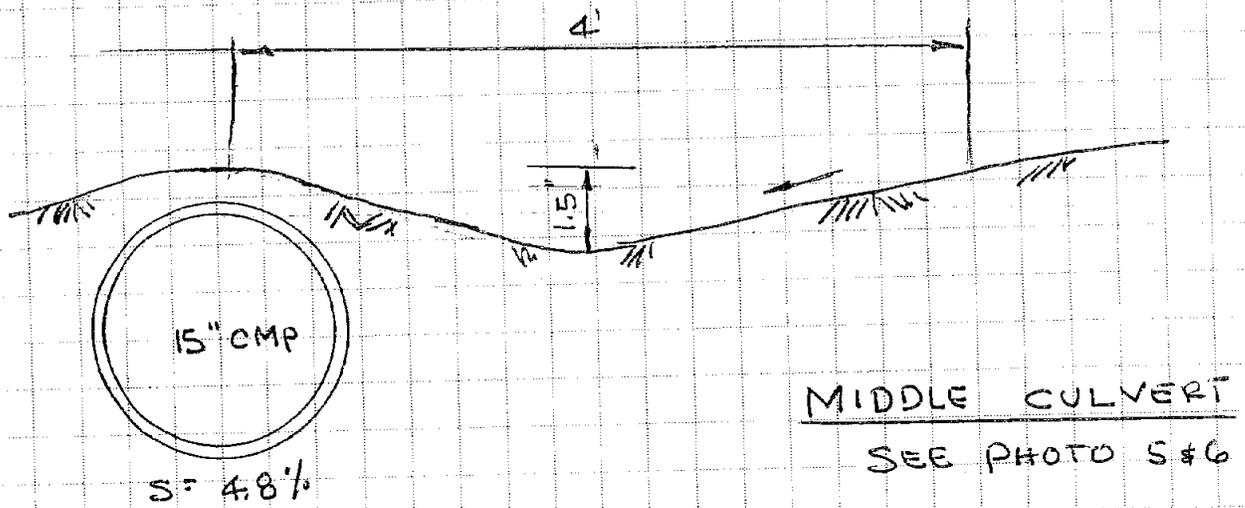
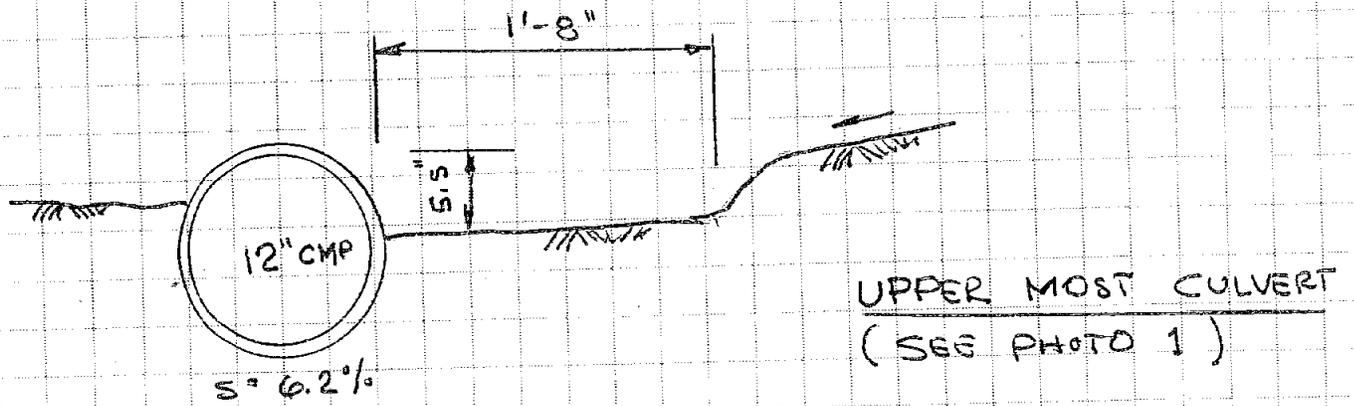
9. Catch basin on north side of Lockwood Lane at Estrella Drive where A.C. paved ditch discharges into City of Scotts Valley Storm Drainage System



10. Catch basins on each side of Lockwood Lane at Estrella Drive where ditch empties into pipe

IFLAND ENGINEERS, INC.
 Live Oak Business Park
 5200 Soquel Avenue Suite 102
 SANTA CRUZ, CA 95062
 P (831)426-5313 F (831)426-1763

JOB 06049
 SHEET NO. _____ OF _____
 CALCULATED BY _____ DATE 6/26/09
 CHECKED BY _____ DATE _____
 SCALE 1" = 1'-0"



Upper Culvert

12" CMP Capacity

Given Input Data:

Shape Circular
Solving for Flowrate
Diameter 1.0000 ft
Depth 1.0000 ft
Slope 0.0620 ft/ft
Manning's n 0.0240

Computed Results:

Flowrate **4.8053 cfs**
Area 0.7854 ft²
Wetted Area 0.7854 ft²
Wetted Perimeter 3.1416 ft
Perimeter 3.1416 ft
Velocity 6.1183 fps
Hydraulic Radius 0.2500 ft
Percent Full 100.0000 %
Full flow Flowrate 4.8053 cfs
Full flow velocity 6.1183 fps

Overflow Capacity

Given Input Data:

Shape Trapezoidal
Solving for Flowrate
Slope 0.0620 ft/ft
Manning's n 0.0180
Depth 0.4600 ft
Height 0.4600 ft
Bottom width 1.6667 ft
Left slope 2.1600 ft/ft (V/H)
Right slope 1.0000 ft/ft (V/H)

Computed Results:

Flowrate **8.9773 cfs**
Velocity 9.7425 fps
Full Flowrate 8.9773 cfs
Flow area 0.9215 ft²
Flow perimeter 2.8241 ft
Hydraulic radius 0.3263 ft
Top width 2.3397 ft
Area 0.9215 ft²
Perimeter 2.8241 ft
Percent full 100.0000 %

$$\begin{aligned} \text{Total Capacity} &= 4.81 + 8.98 \\ &= \underline{\underline{13.79 \text{ cfs}}} \end{aligned}$$

Middle Culvert

15" CMP Capacity

Given Input Data:

Shape Circular
Solving for Flowrate
Diameter 1.2500 ft
Depth 1.2500 ft
Slope 0.0480 ft/ft
Manning's n 0.0240

Computed Results:

Flowrate **7.6660 cfs**
Area 1.2272 ft²
Wetted Area 1.2272 ft²
Wetted Perimeter 3.9270 ft
Perimeter 3.9270 ft
Velocity 6.2469 fps
Hydraulic Radius 0.3125 ft
Percent Full 100.0000 %
Full flow Flowrate 7.6660 cfs
Full flow velocity 6.2469 fps

Overflow Capacity

Given Input Data:

Shape Trapezoidal
Solving for Flowrate
Slope 0.0480 ft/ft
Manning's n 0.0180
Depth 0.1250 ft
Height 0.1250 ft
Bottom width 0.0000 ft
Left slope 0.0625 ft/ft (V/H)
Right slope 0.0625 ft/ft (V/H)

Computed Results:

Flowrate **0.7112 cfs**
Velocity 2.8448 fps
Full Flowrate 0.7112 cfs
Flow area 0.2500 ft²
Flow perimeter 4.0078 ft
Hydraulic radius 0.0624 ft
Top width 4.0000 ft
Area 0.2500 ft²
Perimeter 4.0078 ft
Percent full 100.0000 %

$$\begin{aligned} \text{Total Capacity} &= 7.67 + 0.71 \\ &= \underline{\underline{8.38 \text{ cfs}}} \end{aligned}$$

Lowest Culvert

12" CMP Capacity

Given Input Data:

Shape Circular
Solving for Flowrate
Diameter 1.0000 ft
Depth 1.0000 ft
Slope 0.0530 ft/ft
Manning's n 0.0240

Computed Results:

Flowrate 4.4429 cfs
Area 0.7854 ft²
Wetted Area 0.7854 ft²
Wetted Perimeter 3.1416 ft
Perimeter 3.1416 ft
Velocity 5.6568 fps
Hydraulic Radius 0.2500 ft
Percent Full 100.0000 %
Full flow Flowrate 4.4429 cfs
Full flow velocity 5.6568 fps

Overflow Capacity

Given Input Data:

Shape Trapezoidal
Solving for Flowrate
Slope 0.0530 ft/ft
Manning's n 0.0180
Depth 0.3333 ft
Height 0.3333 ft
Bottom width 0.0000 ft
Left slope 0.1667 ft/ft (V/H)
Right slope 0.1667 ft/ft (V/H)

Computed Results:

Flowrate 3.8006 cfs
Velocity 5.7032 fps
Full Flowrate 3.8006 cfs
Flow area 0.6664 ft²
Flow perimeter 4.0540 ft
Hydraulic radius 0.1644 ft
Top width 3.9988 ft
Area 0.6664 ft²
Perimeter 4.0540 ft
Percent full 100.0000 %

Total Capacity = 4.44 + 3.80
= **8.24 cfs**



MEMO

Date: 22 April 2008

To: Matthew Armstrong, Pacific Legacy, Inc., 1525 Seabright Avenue, Santa Cruz,
CA 95062

From: Lisa Hagel

Re: 2135-01, Whispering Pines; NWIC File #: 07-1497

Felton 7.5'

Sites in or within 1/2 mile radius of the project area: There were no recorded sites within the project areas. CA-SCR-78 & 88/H; P-44-116, 439, & 493 are within 1/2 mile. Enclosed are copies of the site record forms. The site locations are plotted on your map.

Studies in or within 1/2 mile radius of the project area: S-3913, 4125, 6524, 16703, 16704, & 6296 are within the project areas. S-6365, 4029, 3889, 11302, 11492, 18843, 11963, 8139, 14239, 9816, 7848, 10535, 3812, 3877, 3930, 10701, 11470, 15942, 5954, 11366, 13328, 24572, 8313, 7032, 17528, 10841, 3855, 4113, 18671, 19012, 20127, 11454, 10201, 16354, 11374, 14012, 11251, 4124, 3993, 28809, 26410, 29406, 28468, 20624, 24149, 24207, 23538, 32116, 31499, & 28491 are within 1/2 mile. Enclosed are bibliographic references for the reports. The study locations are plotted on the enclosed map.

OHP Historic Properties Directory: Copied the indices for Scotts Valley & vicinity.

California Inventory of Historical Resources: There were no listings in Scotts Valley.

ATTACHMENT 2
CALIFORNIA HISTORIC INFORMATION SYSTEM
CORRESPONDENCE

Native American Contacts
Santa Cruz County
April 25, 2008

<p>Linda G. Yamane 1585 Mira Mar Ave. Seaside, CA 93955-3326 (831) 394-5915</p>	Ohlone/Costanoan	<p>Amah/Mutsun Tribal Band Irene Zwielerlein, Chairperson 789 Canada Road Woodside, CA 94062 amah_mutsun@yahoo.com (650) 851-7747 - Home (650) 851-7489 - Fax</p>	Ohlone/Costanoan
<p>Jakki Kehl 720 North 2nd Street Patterson, CA 95363 jakki@bigvalley.net (209) 892-2436 (209) 892-2435 - Fax</p>	Ohlone/Costanoan	<p>Costanoan Ohlone Rumsen-Mutsen Tribe Patrick Orozco 644 Peartree Drive Watsonville, CA 95075 yanapvoic@earthlink.net (831) 728-8471 (831) 728-8471</p>	Ohlone/Costanoan
<p>Amah Mutsun Tribal Band Valentin Lopez, Chairperson 3015 Eastern Ave, #40 Sacramento, CA 95821 vlopez@amahmutsun.org (916) 481-5785</p>	Ohlone/Costanoan	<p>Indian Canyon Mutsun Band of Costanoan Ann Marie Sayers, Chairperson P.O. Box 28 Hollister, CA 95024 ams@garlic.com 831-637-4238</p>	Ohlone/Costanoan
<p>Amah Mutsun Tribal Band Edward Ketchum 35867 Yosemite Ave Davis, CA 95616 aerieways@aol.com</p>	Ohlone/Costanoan Northern Valley Yokuts	<p>Trina Marine Ruano Family Ramona Garibay, Representative 16010 Halmar Lane Lathrop, CA 95330</p>	Ohlone/Costanoan Bay Miwok Plains Miwok Patwin

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.84 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Whisperin Pines project, Santa Cruz County.

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
Fax (918) 657-5390
Web Site www.nahc.ca.gov



April 25, 2008

Matthew Armstrong, MA rPA
Archaeologist/Project Supervisor
Central Coast Division
PACIFIC LEGACY
1525 Seabright Ave.
Santa Cruz, CA 95062

Sent by Fax: 831-423-0587
Number of Pages: 2

Re: Proposed: Whisperin Pines Project, Santa Cruz County.

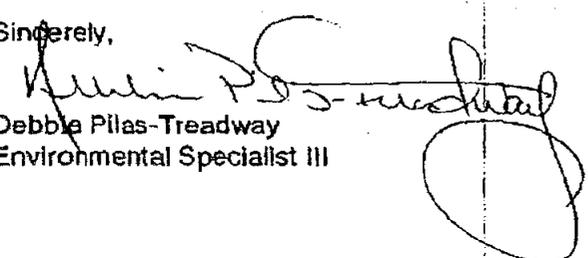
Dear Mr. Armstrong:

A record search of the sacred land file has failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the sacred lands file does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Enclosed is a list of Native Americans individuals/organizations who may have knowledge of cultural resources in the project area. The Commission makes no recommendation or preference of a single individual, or group over another. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe or group. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

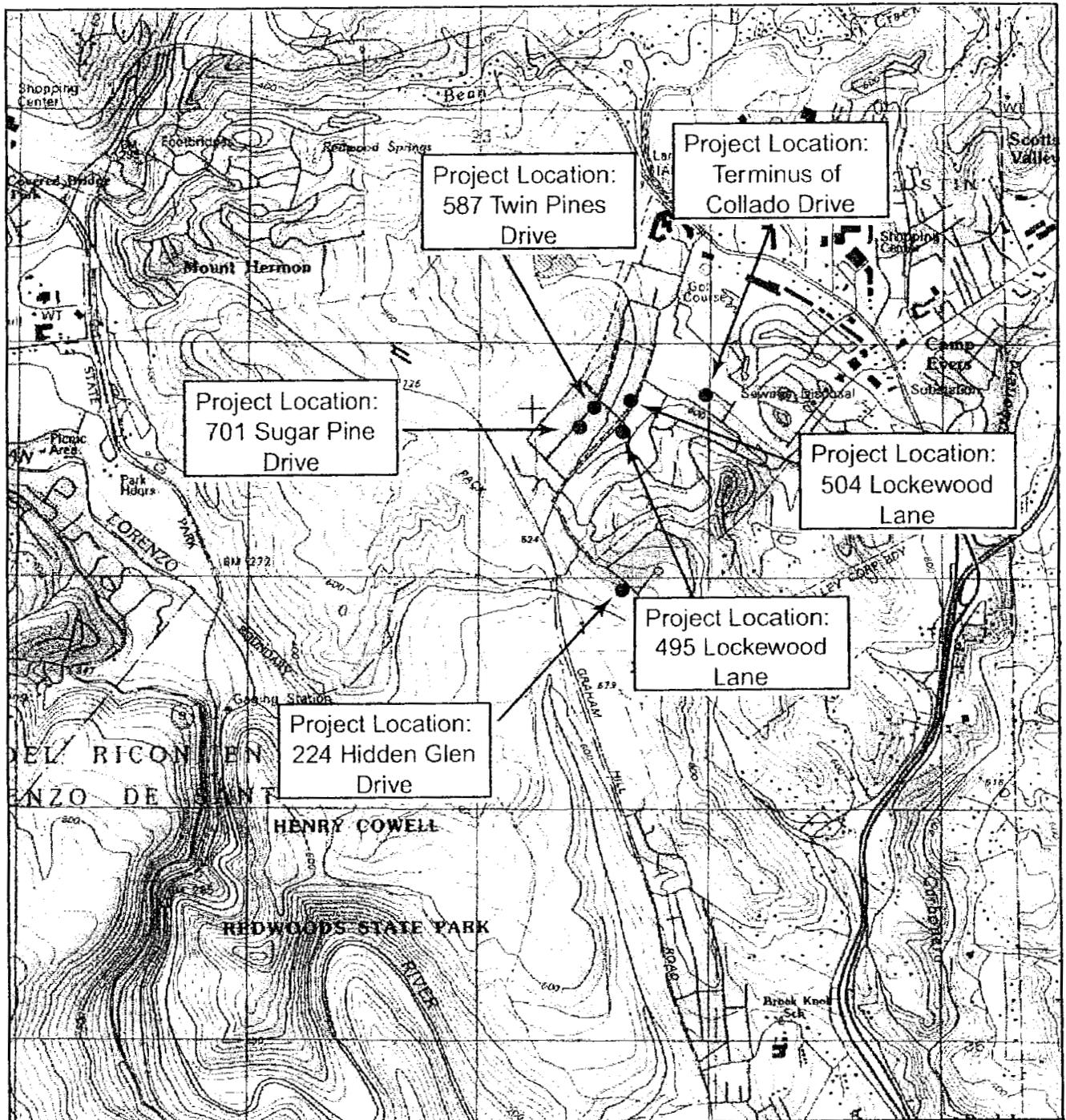
If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at (916) 653-4038.

Sincerely,


Debbie Pitas-Treadway
Environmental Specialist III

ATTACHMENT 1

NATIVE AMERICAN HERITAGE COMMISSION CORRESPONDENCE



SOURCE: USGS 7.5' Santa Cruz, Calif. 1954 (Revised 1994); SCALE: 1:24,000

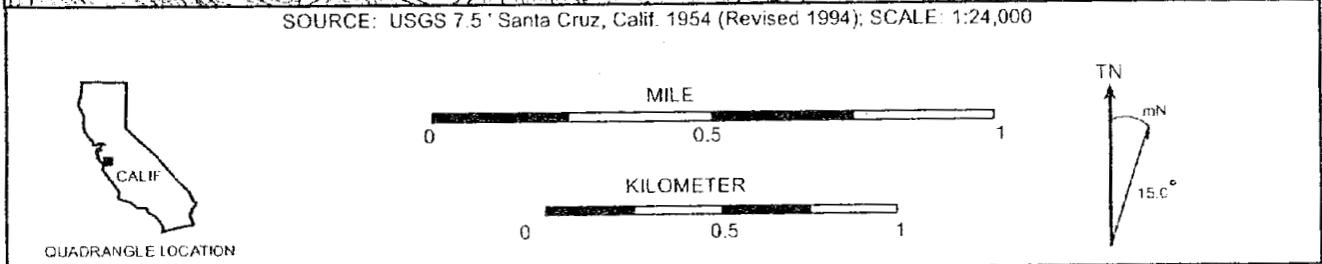
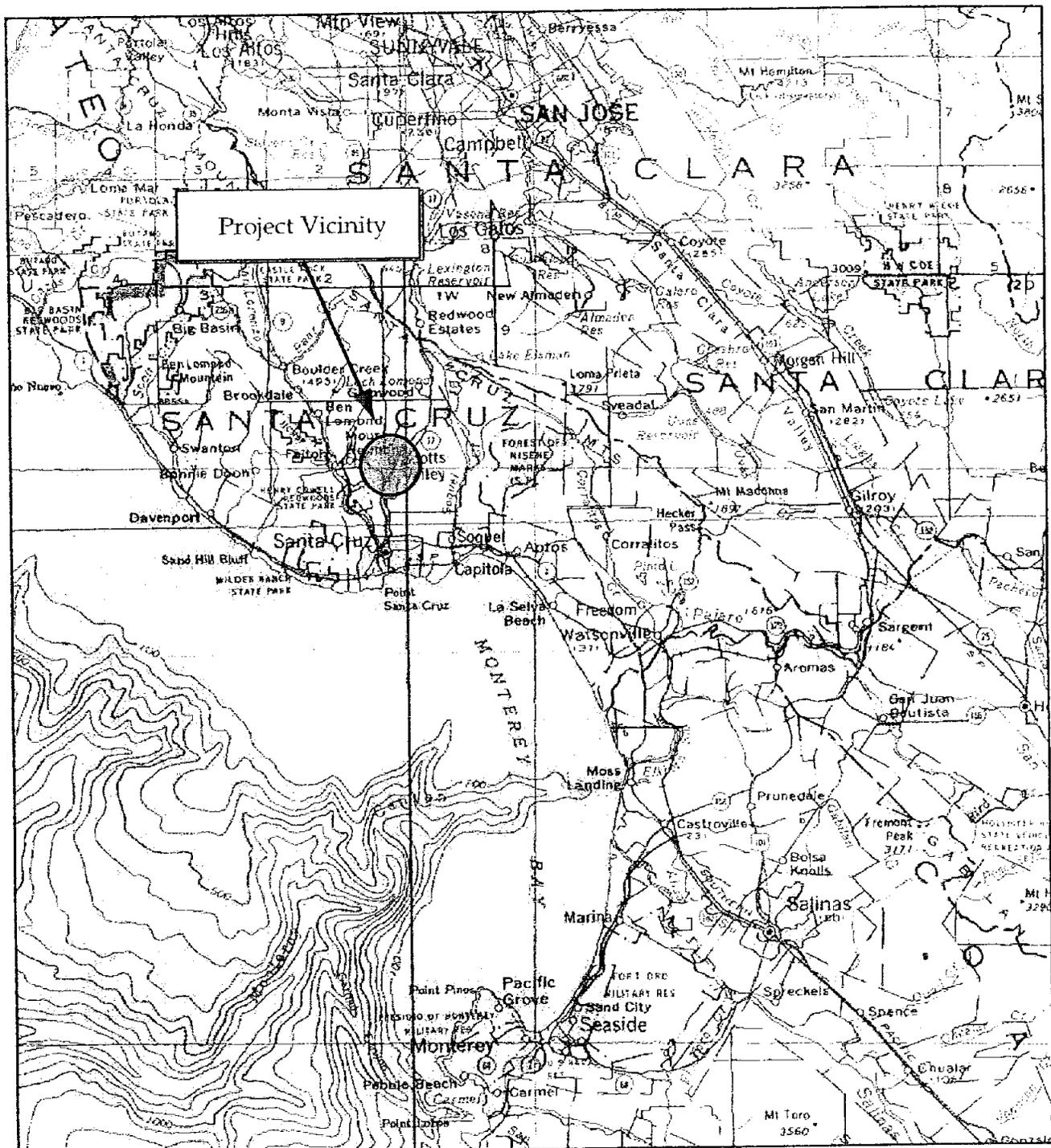


Figure 2: Project Location Map - Whispering Pines, Scotts Valley, Santa Cruz County.





SOURCE: TOPO! National Geographic Holdings, California CD-ROM, 2004.



QUADRANGLE LOCATION

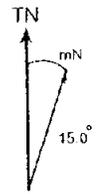
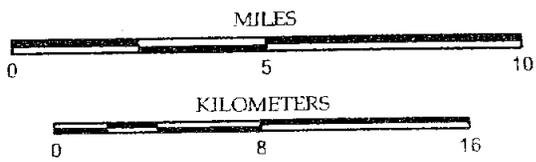


Figure 1. Whispering Pines Project Vicinity Map





Central Coast Division/Administration
1525 Seabright Ave.
Santa Cruz, California 95062

Phone: 831.423.0588
Fax: 831.423.0587
www.pacificlegacy.com

May 16, 2008

Dr. Richard Arnold
Entomological Consulting Services, Ltd.
104 Mountain View Court
Pleasant Hill, CA 94523-2188

RE: Results of Archaeological Records Search and Survey at 587 Twin Pines Drive, Scotts Valley,
Santa Cruz County, California

Dear Dr. Arnold:

This letter documents the results of a records search and archaeological survey for proposed development within the property boundary of above referenced address. The purpose of the study was to determine whether any significant archaeological or historical resources are present within the project area and subject to adverse impacts by construction activities. Results of the records search indicate that there are no cultural resources previously recorded within the project area, and no cultural resources are listed in the National Register of Historic Places, California Points of Historical Interest, or the California State Historic Landmarks. A thorough archaeological reconnaissance of the ground surface conducted April 30, 2008 yielded negative results for cultural resources. The project, as proposed, appears not to have potential significant adverse impacts on any cultural resources.

PROJECT DESCRIPTION

The project at the above-referenced address is part of a larger project involving the following activities in Scotts Valley:

- The demolition of an existing residence and construction of six new residences and a new street at 495 Lockwood Lane.
- The division of one lot into three lots, and the relocation of an existing residence onto one of these three lots at 587 Twin Pine Drive
- The construction of four new residences at the terminus of Collado Drive.
- The demolition of an existing residence at 504 Lockwood Lane, and the construction of three new residences at 504 Lockwood Lane and three new residences at 701 Sugar Pine Drive.
- The construction of 495 ft. of new living space to an existing residence at 224 Hidden Glen Drive.

PROJECT LOCATION

The project area is located in the Felton 7.5' USGS quadrangle sheet, in Township 10 South, Range 2 West, Unsectioned, San Agustin Land Grant, Santa Cruz County, at UTM Zone 10S 585430 mE/409950 mN (See Figure 1).



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Entomological Consulting Services, Ltd.
Page 2

CULTURAL SETTING

Native American Cultures

Archaeological evidence indicates Native Americans have lived in the Santa Cruz area for nearly 10,000 years (Jones 1991; Moratto 1984). The local environment afforded an abundance of

resources for food, ornamentation, tools and economic exchange. Native cultures subsisted on seasonal gathering of resources such as acorn, grass seeds, kelp, and shellfish; hunting of terrestrial and marine mammals (deer, elk, rabbit, bear, seal, and sea lion); and fishing in freshwater streams and inshore marine habitats. Archaeological evidence indicates that trade and exchange took place with native groups as distant as the east side of the Sierra Nevada.

Native Americans living in the San Francisco and Monterey Bay areas were referred to by Spanish explorers of the 18th century as "Costaño" or "coast people." Costaño groups were recognized as speaking seven closely related languages (Shipley 1978). This linguistic group is now often referred to as Ohlone. The 18th century Ohlone community located in the vicinity of Mission Santa Cruz is believed to have been called Uypi, as recorded in mission records (King 1994; Milliken 1994). Establishment of Mission Santa Cruz and the introduction of European diseases by settlers for which the Ohlone had little natural resistance resulted in a rapid and dramatic decline in their population. Subsequent persecution and suppression of Ohlone cultural expressions by Spanish, Mexican and American ruling governments contributed to the decline of traditional Ohlone culture. Today, Ohlone descendants are celebrating a revival of their native culture and a growing appreciation of their place in the multicultural environment of California.

Historic Era

Father Junipero Serra and Captain Gaspar de Portola began the land-based exploration and settlement of Alta California in 1769. Mission Santa Cruz was founded in 1791, and was the first permanent European settlement in the Santa Cruz area (Clark 1986; Hoover et al. 1990). Shortly afterward, Diego de Borcia, the Governor of Alta California, selected the Santa Cruz area as the best location to fortify Alta California against the colonial interests of Russia, France, and Great Britain and established Pueblo de Branciforte in 1797 on a bluff across the San Lorenzo River from the mission. After mission secularization (1833-1834), the site of Mission Santa Cruz (actually the mission's second location, built in 1794) became Holy Cross Church.

Santa Cruz County, established in 1850 (first called Branciforte County), was named after the mission and was one of California's original 27 counties. By this time, the Gold Rush had caused a huge influx of settlers to California. Santa Cruz County grew and enjoyed a prosperous economy based on logging, lime processing, agriculture, and commercial fishing.



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Dr. Richard Arnold
 Entomological Consulting Services, Ltd.
 Page 3

The town of Scotts Valley was named for Hiram Scott, who bought Rancho San Agustin from Joseph Ladd Majors in 1850. Majors, in turn, had been granted the Rancho by the Mexican government in 1841. Over the next few years, a predominantly agricultural settlement began to grow up around the Scott House. The local economy was primarily based on the dairy industry (Clark 1986).

In 1966 the City of Scotts Valley was incorporated, and over the next several decades, the population of Scotts Valley grew as commuters to San Jose and Santa Cruz took up residence, as did students from both UC Santa Cruz and Bethany Bible College.

ARCHIVAL RESEARCH

The Northwest Information Center (NWIC) of the California Historical Resources Information Center conducted a records search of the project area (File No. 07-1497), which included a review of:

- NWIC site and study base maps;
- National Register of Historic Places (*Directory of Determinations of Eligibility*), California Office of Historic Preservation, Volumes I and II, 1990;
- *California Historical Landmarks* (State of California 1990);
- *California Points of Historical Interest* listing (May 1992).

The archival search indicated three studies had previously been performed in the project APE (S-3913, S-4125, S-6296), and that 53 had been performed within 1/2 mile of the project APE. None of these studies found resources within the project APE

There are no cultural resources previously recorded in the project APE nor are there any other resources listed in the National Register of Historic Places, the California Points of Historical Interest, or the California State Historic Landmarks. Within 1/2 mile of the project APE, there are three previously recorded Prehistoric cultural resources (CA-SCR-78, CA-SCR-338, and CA-SCR-343), and two previously recorded mixed-component (prehistoric and historic) archaeological sites (CA-SCR-88/H, CA-SCR-112/H). Copies of the site records are available under confidential cover upon request.

A request was submitted to the California Native American Heritage Commission to consult their Sacred Lands Files in order to identify other culturally significant properties at the project location. In a letter dated April 25 2008, the Commission reported that no sacred lands were known to the Commission within the project area (see Attachment).

ARCHAEOLOGICAL SURVEY

An archaeological reconnaissance was conducted for this project by Patricia Paramoure, B.A. on April 30, 2008. Mr. Paramoure has three years of California archaeology and cultural resource management experience.



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Entomological Consulting Services, Ltd.
Page 4

Ground covering vegetation was especially dense, rendering ground visibility to less than 25% in many locations. Nonetheless, a thorough inspection of the ground surface over the entire property indicates that there are no cultural resources present.

STUDY FINDINGS

No heritage resources are previously recorded within the project area. No prehistoric or historic resources were newly identified within the project area during the reconnaissance survey.

RECOMMENDATIONS

Clearance for the project is recommended as no heritage resources are known to be present in the project area. No adverse affect to historic properties are anticipated and noprotection measures are recommended. Because there are no indications that cultural resources exist in the project area further archaeological work is not recommended. If archaeological remains are discovered in the course of construction activities, construction should be halted and the potential resource evaluated by a qualified archaeologist. The archaeologist will recommend appropriate mitigation measures.

If human remains are encountered during construction or any other phase of development, work in the area of the discovery must be halted, the Santa Cruz County coroner notified, and the provisions of Public Resources Code 5097.98-99, Health and Safety Code 7050.5 carried out. If the remains are determined to be Native American, then the Native American Heritage Commission (NAHC) will be notified within 24 hours as required by Public Resources Code 5097. The NAHC will notify designated Most Likdy Descendants who will provide recommendations for the treatment of the remains within 48 hours of being granted access to the site. The NAHC will mediate any disputes regarding treatment of remains.

Please contact me with any questions at 423-0588 ext. 17, or by email at armstrong@pacificlegacy.com

Sincerely,

Matthew Armstrong, M.A.
Archaeologist/ Project Supervisor

cc: Northwest Information Center, Sonoma State University
cc: Thomas L. Jackson



Central Coast Division/Administration
1525 Seabright Ave.
Santa Cruz, California 95062

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www.pacificlegacy.com

Dr. Richard Arnold
Entomological Consulting Services, Ltd.
Page 5

Attachments: Figure 1. Project Vicinity Map
Figure 2. Project Location Map
Native American consultation correspondence
CHRIS correspondence

REFERENCES CITED:

- Clark, D. T.
1986 *Santa Cruz County Place Names: A Geographical Dictionary* Santa Cruz Historical Society, Santa Cruz, CA.
- Edwards, R. and C. Simpson-Smith
1998 Reconnaissance Survey Extending the Boundaries of CA-SCR-93/H, an Urban Prehistoric Site in the City of Santa Cruz, Santa Cruz County, California. On file, Northwest Information Center, Sonoma State University, Rohnert Park, CA.
- Hoover, M. B., H. E. Rensch, E. G. Rensch, and W. N. Abeloe
1990 *Historic Spots in California* Stanford University Press, Stanford, CA.
- Jones, T. L.
1991 Marine-Resource Value and the Priority of Coastal Settlement: A California Perspective. *American Antiquity* 56:419-443.
- King, C.
1994 Central Ohlone Ethnohistory. In, *The Ohlone Past and Present: Native Americans of the San Francisco Bay Region*, edited by L.J. Bead, pp. 203-228. Ballena Press, Menlo Park, CA.
- Milliken, R.
1994 The Costanoan-Yokuts Language Boundary in the Contact Period. In, *The Ohlone Past and Present: Native Americans of the San Francisco Bay Region*, edited by L.J. Bead, pp. 165-181. Ballena Press, Menlo Park, CA.
- Moratto, M.J.
1984 *California Archaeology*. Academic Press, Orlando, FL.
- Pulcheon, A., T. E. Jones, and M. Konzak
2006 Cultural Resources Background Report and Archaeological Sensitivity Map for the City of Santa Cruz General Plan Update, Santa Cruz, Santa Cruz County, California. On file, Northwest Information Center, Sonoma State University, Rohnert Park, California.



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Shiple, W.F.
1978 Native Languages of California. In, *Handbook of North American Indians* edited by W. Sturtevant, Volume 8 (California), pp. 80-90. Smithsonian Institution, Washington, D.C.

Low-Effect Habitat Conservation Plan
for the Endangered Mount Hermon June Beetle
for 587 Twin Pines Drive (APN 067-041-24), a 3-unit
residential development site located in Santa Cruz County
(near the City of Scotts Valley), California

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EXECUTIVE SUMMARY

Mr. Larry Busch, a private individual (hereafter referred to as "Mr. Busch") has applied for a permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 as amended (16 U.S.C. 153101544, 87 Stat. 884), from the U.S. Fish & Wildlife Service (USFWS) for the incidental take of the endangered Mount Hermon June beetle (MHJB) (*Polyphylla barbata*: Coleoptera: Scarabaeidae). The potential taking would occur incidental to a minor land division to subdivide a 0.999 acre existing residential lot into three lots. It is currently a single parcel (APN 067-041-24) that is located at 587 Twin Pines Drive in the Whispering Pines neighborhood of Santa Cruz County (near the City of Scotts Valley), CA. Currently this lot has an existing single-family residence and garage, which would be moved to subdivide this lot into three parcels. The existing home and garage will be relocated to one of the new lots and two new single-family residences will be built on the other two new lots. This residential development project is known as the Twin Pines Drive Development.

Although the project site is situated in a portion of the Zayante Sandhills that historically supported endemic plant communities, extensive residential and commercial development during the past 50 years throughout this portion of the Santa Cruz County has substantially degraded the original native habitat values. Prior to residential development of the Whispering Pines neighborhood, this neighborhood supported Ponderosa Pine forest with sand parkland vegetation. Today the primary native plants at the property are two Coast Live Oak (*Quercus agrifolia*) and 22 Ponderosa Pine (*Pinus ponderosa*) trees grow along with landscaping. Other native sandhill plants, especially those that would normally grow in the understories of these trees, have been replaced by ornamentals and landscaping.

During a presence-absence survey conducted in 2001 at nearby 701 Sugar Pine Lane (ca. one-half block from the Twin Pine Drive property), 45 adults of the MHJB were observed at the 701 Sugar Pine Road property. For this reason, a presence-absence survey has not been conducted at the 587 Twin Pines Drive project site. Rather, due to the known nearby occurrences of MHJB in the surrounding neighborhood, Mr. Busch assumes that the endangered beetle occurs at this property. Therefore, Mr. Busch has applied for a section 10(a)(1)(B) permit and proposes to implement the habitat conservation plan (HCP) described herein, which provides for measures for mitigating adverse effects on the MHJB for activities associated with the relocation of the existing single-family home, as well as the site grading and construction of the two new single-family residences. Mr. Busch is requesting issuance of the section 10(a)(1)(B) permit for a period of five (5) years.

This HCP summarizes information about the project and identifies the responsibilities of the USFWS and Mr. Busch for implementing the actions described herein to benefit the MHJB. The biological goal of the HCP is to replace the MHJB habitat impacted by the construction project at a secure site in perpetuity. Mr. Busch has satisfied his mitigation requirements by purchasing 0.870 conservation credits for the endangered MHJB from the Ben Lomond Sandhills Preserve of the Zayante Sandhills Conservation Bank, which is operated by PCO, LLC and is located in Ben Lomond, CA. This HCP also describes measures that ensure the elements of the HCP are implemented in a timely manner. Funding sources for implementation of the HCP, actions to be taken for unforeseen events, alternatives to the proposed permit action, and other

measures required by the USFWS are also discussed.

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2. Estimated costs for minimization and mitigations measures for the Twin Pines Drive project site.

FIGURES

1. Portion of Felton 7.5' USGS topographic map illustrating the location of the Twin Pines Drive project site.
2. Street-level location map illustrating the location of the Twin Pines Drive project site.
3. Existing conditions site plan for the Twin Pines Drive project site.
4. Proposed project site plan for the Twin Pines Drive project, illustrating impacted and maintained trees.
5. Location map for the Ben Lomond Sandhills Preserve and its service area.

1.0 INTRODUCTION

This low-effect Habitat Conservation Plan (HCP) is for the proposed construction of two new, single-family residences and relocation of an existing single-family residence at a 0.999 acre residential lot that will be subdivided to accommodate a total of three homes. The project site is located at 587 Twin Pines Drive (APN 067-041-24) in the Whispering Pines residential neighborhood of Santa Cruz County near the City of Scotts Valley, California.

This HCP has been prepared pursuant to the requirements of section 10(a) of the Federal Endangered Species Act (ESA). The HCP is intended to provide the basis for issuance of a section 10(a)(1)(B) permit to Mr. Larry Busch (hereafter "Mr. Busch"), the permit applicant, to authorize incidental take (see section 6.0) of the Mount Hermon June beetle (MHJB) (*Polyphylla barbata*: Coleoptera: Scarabaeidae), a federally-listed endangered species, that could potentially result from the grading and construction activities at the aforementioned project site. The U.S. Fish & Wildlife Service (USFWS) has concluded that the project site provides potential habitat for this beetle. Mr. Busch requests a permit for a period of five (5) years commencing on the date of permit approval.

This HCP provides an assessment of the existing habitat at the Twin Pines Drive project site for the MHJB, evaluates the effects of the proposed project on this beetle, and presents a mitigation plan to offset habitat losses and/or direct harm to this beetle that could result from grading and construction activities at the project site. The biological goal of this HCP is to replace the MHJB habitat impacted by the development of the Twin Pines Drive property at a secure site in perpetuity. Specifically, 0.870 MHJB conservation credits have been purchased from a conservation bank approved by the USFWS for MHJB mitigation. Because habitat quality at the conservation bank is superior to that at either project site, and habitat at the conservation bank is protected in perpetuity via a conservation easement, this mitigation solution will provide greater long term conservation value to the MHJB and its habitat than would on-site mitigation.

1.1 PROJECT LOCATIONS

The project site is located in the County of Santa Cruz, in the Whispering Pines residential neighborhood near the City of Scotts Valley, CA. The site address is 587 Twin Pines Drive, which is located on the northeastern corner of the intersection of Twin Pines Drive and Tan Oak Drive. The site measures 0.999 acre and is located within the boundaries of the Felton 7.5' U.S. Geological Survey (USGS) topographic quadrangle, specifically in Township 10S. and Range 2W. of the Mt. Diablo Meridian. No section numbers are identified in this portion of the topographic quadrangle (Figure 1). Because of the extensive development that has occurred in and near the City of Scotts Valley since the Felton quadrangle was printed in 1980, Figure 2 is a street-level location map that illustrates both properties.

1.2 PROJECT SITE

The project site is located in a residential neighborhood known as Whispering Pines. Surrounding properties are developed as single-family homes. Due to prior land uses, native habitat values at the project site have been degraded.

The project site currently has a single-family residence, garage, asphalt driveway, three sheds, plus concrete patios and walkways. These improvements cover approximately 15,800 ft.² (0.363 acre). Two Coast Live Oak and 22 Ponderosa Pine trees still grow at the property, but most of the resident understory vegetation consists of non-natives used for landscaping.

1.3 HISTORY OF THE HCP PROCESS

In March 2006 Mr. Busch hired Dr. Richard Arnold of Entomological Consulting Services, Ltd. to prepare this HCP. Dr. Arnold spoke with Roger Root, biologist with the Ventura office of the USFWS about the proposed project and need for an HCP in May 2006. USFWS advised Dr. Arnold that an incidental take permit would be necessary for the proposed projects to comply with the Endangered Species Act. Thus this draft, low-effect HCP was prepared and submitted to the Ventura office of USFWS in October 2006. Although this document has been prepared as a low-effect HCP, the USFWS still needs to complete its Low-Effect Habitat Conservation Plan Screening Form. After completing this form, the USFWS will determine whether the HCP for the proposed projects qualifies for the low-effect category, thereby qualifying for a categorical exclusion under the National Environmental Policy Act.

FIGURE 1 (USGS topo map)

FIGURE 2 (street-level location map)

2.0 PROJECT DESCRIPTION AND AREA

2.1 PROJECT SITE AND PROJECT DESCRIPTION

The project site is located at 587 Twin Pines Drive, measures 0.999 acre, and is a trapezoid in shape. It is situated in the Whispering Pines residential neighborhood of the County of Santa Cruz, near the City of Scotts Valley, CA. The property is characterized by Zayante sandy soils as mapped by Bowman and Estrada (1980).

It was previously developed and currently has a single-family residence, garage, asphalt driveway, plus concrete patios and walkways which collectively cover about 0.333 acre. Three wooden sheds cover an additional estimated 0.030 acre, but appear to be sitting on the ground rather than concrete slabs or other permanent foundations. Topography is generally flat with elevations ranging from 598 to 616 feet, and a gentle slope from west to east across the property. A four foot wide drainage ditch runs parallel to the southern property border along Tan Oak Drive. Although Coast Live Oak and Ponderosa Pine trees still grow on the property, the understory vegetation has largely been converted to ornamental plants and landscaping.

The project site will be subdivided into three separate lots to accommodate construction of two new single-family homes, plus the relocation of the existing residence. Figure 3 illustrates the existing site conditions. The three new lots will range in size from xx,xxx to yy,yyy ft.². The two new homes will have new driveways that access Tan Oak Drive. Although the existing residence will be relocated, it will continue to use the existing driveway to access Twin Pines Drive. Locations of the three proposed, single-family homes and other associated site improvements are illustrated in Figure 4, which along with Figure 3 was prepared by Ifland Engineers, Inc. Demolition of the sheds, patios, and walkways, site grading, home relocation, and construction activities are expected to occur throughout all portions of the project site except the existing asphalt driveway. The retained driveway covers an estimated 5,600 ft.² (0.129 acre). Thus the entire property is also referred to as the "impact area" in this HCP.

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

To the extent practical, native Coast Live Oak and Ponderosa Pine trees will be protected during grading and construction activities and incorporated into future landscaping. Ten pines will be removed, but 12 pines will be retained. Neither of the two oaks will be removed. Locations of the impacted and maintained trees are illustrated in Figure 3. The maintained trees will not be disturbed except as needed to conform to any fire clearance regulations of the Scotts Valley Fire District.

Altogether, these activities will disturb 0.870 acre of the entire 0.999-acre property, which includes all portions of the property except for the retained existing driveway. As a minimization measure, the two Coast Live Oaks and 12 Ponderosa Pines, indigenous to the Zayante sandhills will be maintained at this project site. Additional minimization measures will be employed

before, during, and after construction activities to minimize any adverse impacts to the MHJB and its habitat at this project site, including.

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

2.2 PERMIT HOLDER/PERMIT BOUNDARIES

Mr. Busch will be the holder of the section 10(a) permit. Mr. Larry Busch can be contacted via mail at 587 Twin Pines Drive, Scotts Valley, CA 95066, or via telephone at (831) xxx-xxxx, via fax at (831) xxx-xxxx, or via cell phone at (831) xxx-xxxx, or via email at lb9460@aol.com. In the event of sale of the property prior to completion of the proposed development, a new permit application along with an Assumption Agreement will be submitted to the USFWS by the new owner.

The permit boundaries are the same as the property boundaries of the 0.999-acre project site located at 587 Twin Pines Drive. These boundaries are illustrated in Figure 3.

2.3 SURROUNDING LAND USES

The Twin Pines Drive project site is located in a residential neighborhood of the County of Santa Cruz known as Whispering Pines. Surrounding properties support single-family homes. Zoning for the project site is R-1-10, which means that one single-family residence is allowed on a minimum lot size of 10,000 ft.².

Insert Fig. 3 Site Plan for existing conditions

Insert Fig. 4 Site Plan for proposed project

3.0 REGULATORY FRAMEWORK

3.1 FEDERAL ENDANGERED SPECIES ACT OF 1973

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

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

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

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

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

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

3.1.1. Section 10 Permit Process and HCP Requirements.

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

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

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

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

The USFWS has established a special category of HCP, called a low-effect HCP, for projects with relatively minor or negligible impacts. Based on criteria for determining whether a HCP qualifies as "low-effect", as described below and in the USFWS's (1996) Habitat Conservation Planning Handbook, the applicant for the proposed Twin Pines Drive project believes this is a low-effect HCP.

A low-effect HCP is defined as having:

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

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

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

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

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

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

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

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

3.2 NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

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

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

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

3.3 CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

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

3.4 SANTA CRUZ COUNTY REGULATIONS

3.4.1 Santa Cruz County's General Plan and Code

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

As was described in Section 2.1 of this HCP, Ponderosa Pines and Coast Live Oaks currently grow at both project sites and a total of 10 pines will be removed to accommodate the proposed new and relocated single-family homes. The majority of Ponderosa Pines and both Coast Live Oaks will be protected by temporary construction fencing throughout the grading and construction periods and maintained as part of future landscaping for the new homes. The proposed projects will mitigate for the anticipated impacts to the Ponderosa Pines as described in Section 7.2 of this HCP.

3.4.2 Scotts Valley Fire District

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

4.0 BIOLOGY

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

4.1 HABITATS

Originally this property supported a Ponderosa Pine forest, but a single-family home was built there about 50 years ago. Other than two Coast Live Oak and 22 Ponderosa Pine trees, all other vegetation at the property consists of non-native plants used for landscaping. Table 1 lists the acreage for each habitat type, including existing, impacted, and protected acreages.

Habitat Types	Habitat Acreages	
	Existing	Impacted
Degraded Ponderosa Pine Forest	0.666	0.666
Developed	0.333	0.204
Project Site Totals	0.999	0.870

4.2 COVERED SPECIES: MOUNT HERMON JUNE BEETLE

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

4.2.1 Conservation Status

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

The State of California does not recognize insects as endangered or threatened species

pursuant to the State's Fish & Game Code. However, the MHJB does receive consideration under the California Environmental Quality Act (CEQA) since it satisfies the definition of a rare species under this statute.

4.2.2 Description and Taxonomy

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

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

4.2.3 Distribution and Habitats

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

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

4.2.4 Natural History

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

Lifespan data from a brief capture-recapture study suggest that adult males live no longer

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

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

4.2.5 Occurrence at the Project Sites and Vicinity

Arnold (2001) conducted a presence-absence survey at a vacant lot on Sugar Pine Road, approximately one-half block from the project site and identified 45 adults of the MHJB there. For this reason, the MHJB is presumed to occur at the project site because it has also been found at several other nearby properties in the surrounding Whispering Pines neighborhood (BUGGY Data Base 2006; California Natural Diversity Data Base 2006).

5.0 IMPACTS AND ENVIRONMENTAL COMPLIANCE

5.1 IMPACT ASSESSMENT

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

Permanent impacts will primarily be confined to portions of the project site where the new residences, driveways, and other hardscape are constructed. In addition, a 0.204-acre portion of the impact area supports an existing home and garage that will be relocated in another portion of the project site onto a new foundation, as well as other hardscape (i.e., patios, and walkways) that will be demolished. These impacts will occur during relocation of the existing structures as well as grading, excavation, and construction activities for the two new homes. The existing asphalt driveway will be retained to service the relocated home. Because of the degraded site condition and small size of the impact area, incidental take of the MHJB as a result of these activities is expected to be limited, but will occur throughout 0.870 acre of the 0.999-acre project site.

Lesser, temporary impacts to the endangered beetle are expected to occur throughout the 0.870-acre impact area at the project site during construction, during residential occupation of the new homes, and during revegetation and landscaping of the new yards upon completion of the construction activities. Temporary losses may also occur when fencing to demarcate the maintained trees is installed, repaired, or ultimately removed.

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

To summarize, impacts to the MHJB and its habitat will occur during relocation of the existing home and garage, demolition of existing patios and walkways, and during grading of the site, as well as the installation of various improvements to the site associated with the construction of two new single-family residences. These impacts will be restricted to the 0.870-acre portion of the impact area where the new structures and hardscape will be constructed. Additional permanent or temporary impacts may occur in other portions of the project site after construction has been completed. As discussed in greater detail in Section 7.0 of this HCP, these anticipated impacts at the project site will be offset by the purchase of 0.870 acre of MHJB conservation credits in prime sandhills habitat at the Ben Lomond Sandhills Preserve of the Zayante Sandhills Conservation Bank.

5.2 DIRECT AND INDIRECT EFFECTS

Although, direct and indirect impacts to the MHJB as well as its preferred habitat at the project site is expected to be minimal, incidental take of this endangered species will occur throughout the project site. As previously discussed in this HCP, the project site is situated in a

region where nearby parcels support stands of suitable habitat and populations of the MHJB. However, immediately surrounding properties have been developed for residential uses, so habitat values have been degraded. The only native vegetation remaining at the project site is Ponderosa Pine and Coast Live Oak trees, but Zayante sands occur throughout the site. Although the loss of degraded habitat at the project site will be permanent, the applicant will purchase conservation credits in the form of 0.870 acre of prime habitat at the Ben Lomond Sandhills Preserve that is known to support the MHJB.

5.3 CUMULATIVE EFFECTS

Development of the two new homes and relocation of the existing home will result in minor cumulative impacts to the MHJB. Even though as much as 0.870 acre of landscaping and degraded Ponderosa Pine forest habitat will be permanently removed along with small numbers of MHJB, these losses are not expected to affect the range-wide survival of the beetle due to the occurrence and abundance of this species and its habitat at nearby locations, as well as elsewhere throughout its entire geographic range. Indeed, the impacted acreage as well as acreage supporting the maintained trees at both project sites will be compensated through the permanent protection of prime habitat at a conservation bank that is known to support the endangered beetle.

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

5.4 EFFECTS ON CRITICAL HABITAT

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

6.0 TAKE OF THE COVERED SPECIES

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

For these reasons, the level of incidental take of the MHJB is expressed as the affected acreage at the project site. Incidental take of MHJB could result from removal of a total of 0.870 acre of degraded habitat at the project site.

The level of incidental take requested is 0.870 acre, which is the entire project site except for the existing 0.129 acre asphalt driveway that will be retained to service the relocated home. This request covers all activities at the project site that may result in potential take of the MHJB, including the relocation of the existing home and associated site improvements and construction of the two new homes. This incidental take request also includes not only the areas where new structures and other hardscape that will be constructed, but also the maintained tree areas because the applicant cannot guarantee that these trees will remain at the site in perpetuity.

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

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

any MHJB that may be taken (killed, injured, harmed, harassed or captured) that may be adversely affected as a result of the following activities occurring within the boundaries of the 0.999-acre project site at 587 Twin Pines Drive during the following covered activities:

- a) any activities to relocate the existing home and garage;
- b) demolition of the existing concrete patios, walkways, and other hardscape;
- c) any grading and construction operations including, but not limited to, use of any equipment, vegetation removal, trampling of vegetation, compaction of soils, ground disturbance, grading, installation of drainage and irrigation systems, or creation of dust;

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

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

7.0 MINIMIZATION AND MITIGATION MEASURES

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

7.1 MINIMIZATION MEASURES DURING CONSTRUCTION

The following minimization measures will be implemented during the relocation, grading, and construction-related activities at the project site.

7.1.1 Construction Monitor

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

7.1.2 Delineation and Protection During Construction of the Maintained Trees

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

"NOTICE: SENSITIVE HABITAT AREA. GRADING PROHIBITED."

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

The construction monitor will routinely inspect the project site and oversee activities on a regular basis during the relocation and grading. Should any violation occur, a "stop work" order will be immediately issued. The Ventura office of the USFWS will be contacted and the "stop work" order will remain in effect until the issue is resolved.

7.1.3 Construction and Operational Requirements

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

7.1.4 Contractor and Employee Orientation

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

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

7.1.5 Access to Project Site

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

7.1.6 Vegetation Management of the Maintained Tree Areas

To the extent practical, the permittee intends to maintain selected native trees at the project site and revegetate the understories of the maintained tree areas with plants indigenous to the sandhills. Figure 3 illustrates the maintained trees at the project site. However, because of the uncertainty about future vegetation pruning or clearing activities that may be required by the Scotts Valley Fire District, these portions of both project sites cannot be permanently protected. Also, they are too small and too scattered across the property for a land trust to accept a conservation easement for their protection. Finally, no post-construction monitoring will occur in the maintained tree areas. It is for these reasons that off-site mitigation is being utilized to compensate for all of the anticipated project-related impacts.

7.2 MITIGATION PLAN

Mr. Busch will compensate for MHJB habitat that will be eliminated or altered due to development of the Twin Pines Drive project by purchasing 0.870 acre of MHJB conservation credits from the Zayante Sandhills Conservation Bank, a USFWS-approved MHJB conservation bank. This level of mitigation (i.e., conservation credits) is clearly commensurate with the level of impacts to MHJB habitat at the project site, because the conservation value of the bank habitat is much greater than that at the project site.

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

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

Insert Fig. 5 (location map of BLSP and ZSCB service territory.)

8.0 PLAN IMPLEMENTATION

8.1 BIOLOGICAL GOALS AND OBJECTIVES

The overall primary biological goal of this HCP is to replace the degraded MHJB habitat on 0.870 acre impacted by the proposed construction of two new residences and relocation of the existing residence at the project site. This will be accomplished by purchasing 0.870 acre of MHJB conservation credits from the USFWS-approved Zayante Sandhills Conservation Bank, which also contributes to a regional preserve design to benefit the MHJB. Secondly, the permittee will implement several measures during relocation, demolition, grading, and construction to minimize impacts to the endangered MHJB at the project site.

8.2 IDENTIFICATION OF PROJECT REPRESENTATIVE

The designated representative is Mr. Larry Busch, 587 Twin Pines Drive, Scotts Valley, CA 95066, (831) xxx-xxxx work, fax (831) xxx-xxxx, or (831) xxx-xxxx (mobile). Mr. Busch's email address is lb9460@aol.com. The USFWS shall be notified in writing if a substitute representative is designated.

8.3 IDENTIFICATION OF CONSTRUCTION AND BIOLOGICAL MONITORS

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

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

8.4 SCOPE

This HCP covers the Twin Pines Drive project site in the County of Santa Cruz. The project site measures 0.999 acre and is located at 587 Twin Pines Drive in Scotts Valley (mailing address), as described in Section 2.0 of this HCP. The mitigation site is the Ben Lomond Sandhills Preserve of the Zayante Sandhills Conservation Bank. It is located off of Hihn Road in Ben Lomond. This HCP covers activities only within the Twin Pines Drive project site, as PCO, LLC is a USFWS-approved conservation bank operator for the MHJB.

8.5 RESPONSIBILITIES

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

Mr. Busch will satisfy his mitigation responsibilities by the purchase of 0.870 acre of MHJB conservation credits from PCO, LLC, operator of the Zayante Sandhills Conservation Bank. The mitigation site is the Ben Lomond Sandhills Preserve of the aforementioned bank.

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

8.6 PLAN DURATION

Mr. Busch seeks a five-year permit from the USFWS to cover those activities associated with the incidental take of MHJB at the Twin Pines Drive project site. The five-year period is necessary to allow adequate time for construction of the two new residences and relocation of the existing residence. Since MHJB conservation credits have been purchased from PCO, LLC, the operator of the conservation bank will assume all responsibilities for implementation of the required mitigation. The permit will expire once Mr. Busch has fulfilled all of his responsibilities.

8.7 REPORTING

8.7.1 Post-Construction Compliance Report

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

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

8.7.2 Annual Mitigation Monitoring Reports

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

- 1) an assessment of the condition of the habitat at the conservation bank site;
- 2) survey dates and results of MHJB monitoring, if performed;
- 3) a brief discussion of other monitoring efforts that occurred during the past year;
- 4) description of incidental take occurrences;

- 5) description of habitat management activities performed during the past year
- 6) identify any problems and any corrective measures undertaken to insure that the biological goals are met;
- 7) recommendations to solve existing or anticipated problems; and
- 8) copies of any photos used for photo-documentation purposes.

8.8 FUNDING

Mr. Busch is responsible for the full cost of the 0.870 MHJB conservation credits as well as the minimization measures described in Section 7.1 and Table 2 of this HCP. A copy of the sales agreement for the purchase of the 0.870 MHJB conservation credits is attached as Appendix A. PCO, LLC will assume all responsibilities for funding of annual maintenance of the Ben Lomond Sandhills Preserve and the fulfillment of all monitoring and reporting activities.

**Table 2. Costs of Minimization and Mitigation Measures
for the Twin Pines Drive Project**

Mitigation and Minimization Activities	Unit Cost	Total Cost
Mitigation Activities:		
Purchase 0.870 MHJB conservation credits	\$6.00/ft. ² /credit	\$227,383 ^a
Minimization Activities:		
Biological Monitor	\$3,000	\$3,000
Protective Fencing & Signs	\$1,000	\$1,000
Dust Control Measures	\$500	\$500
	Grand Total Cost	\$231,883

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

9.0 CHANGED AND UNFORSEEN CIRCUMSTANCES

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

9.1 CHANGED CIRCUMSTANCES

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

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

As to other potential changed circumstances, Mr. Busch has applied for incidental take of the MHJB for the entire 0.999 Twin Pine Drive project site. Therefore, it does not anticipate that

any additional changed circumstances will occur during the life of the permit on either project site that will result in unanticipated levels of take of the covered species. Additional changed circumstances; e.g., wildfire, erosion, extended drought, earthquake or other natural disaster, may occur at the off-site conservation bank. However, the short duration of the permit (i.e., five years) lessens the likelihood that one of these phenomena may cause substantial changes to the off-site conservation bank during the permit period. Furthermore, some types of changed circumstances, for example a wildfire, may actually enhance habitat values in the long term because Ponderosa Pine is adapted to, and regenerate well after such fires. Winter storms or earthquakes could cause landslide or erosion problems in habitat areas that would require subsequent repairs, such as slope stabilization, repair of fencing, and revegetation. A portion of the fees paid by Mr. Busch to PCO, LLC for the MHJB conservation credits include contingency funds to cover the costs of unexpected repairs, or habitat restoration that may be required as a result of any natural disasters occurring at the off-site conservation bank.

9.2 UNFORESEEN CIRCUMSTANCES

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

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

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

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

10.0 PERMIT AMENDMENT/RENEWAL PROCESS

10.1 AMENDMENTS TO THE PERMIT

At this time there is no reason to expect that an amendment to the take permit will be needed to complete the development of Twin Pines Drive project site. However, during the specified permit period, amendment of the section 10(a)(1)(B) permit for Mr. Busch's project would be required for any of the following changes:

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

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

10.2 AMENDMENTS TO THE HCP

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

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

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

10.3 PERMIT RENEWAL

Upon expiration, the section 10(a)(1)(B) permit may be renewed without the issuance of a new permit, provided that the permit is renewable, and that biological circumstances and other pertinent factors affecting MHJB are not significantly different than those described in the

original HCP. To renew the permit, Mr. Busch shall submit in writing to the USFWS at least 30 days prior to expiration of this permit:

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

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

10.4 PERMIT TRANSFER

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

11.0 ALTERNATIVES CONSIDERED

11.1 ALTERNATIVE #1: NO-ACTION

Under the No-Action Alternative, relocation of the existing single-family residence and development of two new homes at 587 Twin Pines Drive would not occur and Mr. Busch would not implement an HCP or receive a section 10(a)(1)(B) incidental take permit from the USFWS. The existing single-family home would remain at the project site but no additional homes would be built.

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

11.2 ALTERNATIVE #2: REDESIGNED PROJECT (REDUCED TAKE)

Under this alternative, the development footprint of the proposed new homes would be reduced at the newly subdivided lots, thereby reducing the loss of potential habitat for the MHJB. Although a section 10(a)(1)(B) permit would still be required, biological impacts, including loss of MHJB habitat, associated with this alternative would still result, but would be reduced in magnitude. A reduction in the proposed residential developments would not significantly improve onsite habitat conditions for the MHJB. Also, incidental take of MHJB could still occur during initial grading activities. As the project site is situated in a developed residential neighborhood and measures only 0.999 acre, relocation of the new homes and other amenities is not practical. Thus, the gains in reduction of take of the covered species and reduced modification of the covered species habitat would not be significant; furthermore this alternative would also result in unnecessary economic burdens to the applicant. For these reasons, the Reduced Take Alternative has been rejected.

11.3 ALTERNATIVE #3: PROPOSED ACTION (PERMIT ISSUANCE)

Under the Proposed Action Alternative, Mr. Busch would develop the Twin Pines Drive project site as described in Section 2.0 of this HCP. The Proposed Action Alternative would require the issuance of a section 10(a)(1)(B) permit to allow construction of the project. The project would result in the loss or alteration of approximately 0.870 acre of degraded habitat for the MHJB. However, conservation measures as proposed in the HCP would result in greater habitat value for the endangered beetle than currently exists at the project site, due to the degraded habitat quality and the presence of exotics that can out compete the food plant(s) of the MHJB. The Proposed Action thus provides greater habitat conservation benefits than the No Action and Redesigned Project Alternatives, and also best meets the needs of the applicant. Therefore, the Proposed Action is the preferred alternative.

12.0 HABITAT CONSERVATION PLAN PREPARERS

Dr. Richard A. Arnold prepared this HCP. Dr. Arnold is an entomologist and the President of Entomological Consulting Services, Ltd., of Pleasant Hill, CA. Paul Burrowes is the Managing Member of PCO, LLC, provided the cost information for the purchase of conservation credits from the Zayante Sandhills Conservation Bank. Ifland Engineers, Inc. provided the existing site plan (Figure 3) and proposed site plan (Figure 4).

13.0 REFERENCES CITED

- Arnold, R.A. 2001. Letter report on MHJB presence-absence survey for 701 Sugar Pine Road in Scotts Valley, CA. Letter dated 11 July 2001 and addressed to Mr. Randy Kanawyer. 3 pp.
- Arnold, R.A. 2004. Mount Hermon June Beetle. Pp. 92-99. IN, McGraw, J.M., *The Sandhills Conservation and Management Plan: a strategy for preserving native biodiversity in the Santa Cruz sandhills*. Prepared for The Land Trust of Santa Cruz County.
- Bowman, R.H., and D.C. Estrada. 1980. Soil survey of Santa Cruz County, California. U.S. Dept. of Agriculture and Soil Conservation Service in cooperation with the University of California, Agricultural Experiment Station Publication. 148 pp. & maps.
- BUGGY Data Base. 2006. Sensitive species report for the Felton 7.5' USGS topographic quadrangle.
- California Natural Diversity Data Base. 2006. Sensitive species report for the Felton 7.5' USGS topographic quadrangle. California Department of Fish & Game.
- Cazier, M.A. 1938. A new California *Polyphylla* with notes concerning the variability of certain characters within the genus. *The Pan-Pacific Entomologist* 14:161-164.
- Furniss, R.L. and V.M. Carolin. 1977. Western forest insects. U.S. Dept. of Agriculture, Forest Service. Misc. Publication No. 1339. Washington, D.C. 654 pp.
- Hill, K. 2005. A picky pallete? The host plant selection of an endangered beetle. Master of Science thesis. San Jose State University. 83 pp.
- Santa Cruz County. 1988. Santa Cruz County General Plan.
- U.S. Fish and Wildlife Service and National Marine Fisheries Service. 1996. Endangered Species Habitat Conservation Handbook. November, 1996.
- U.S. Fish & Wildlife Service. 1997. Endangered and threatened wildlife and plants; determination of endangered status for two insects from the Santa Cruz Mountains of California. Federal Register 62:3616-3628.
- U.S. Fish & Wildlife Service. 1998. Recovery plan for two insects (*Polyphylla barbata* and *Trimerotropis infantilis*) and four plants (*Chorizanthe pungens* var. *hartwegiana*, *Chorizanthe robusta* var. *hartwegii*, *Erysimum teretifolium*, and *Polygonum hickmanii*). Portland, OR. 83 pp.
- U.S. Fish & Wildlife Service. 2001. Endangered and threatened wildlife and plants: final determination of critical habitat for the endangered Zayante Band-Winged grasshopper. Federal Register 66:9219-9233.

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

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

INTEROFFICE MEMO

APPLICATION NO: 08-0534

Date: February 4, 2009

To: Robin Bolster-Grant, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Three lot subdivision , Twin Pines Drive, Scotts Valley

COMPLETENESS ITEMS

- none

COMPLIANCE ISSUES

Design Review Authority

13.11.040 Projects requiring design review.

- (d) All minor land divisions, as defined in Chapter 14.01, occurring within the Urban Services Line or Rural Services Line, as defined in Chapter 17.02; all minor land divisions located outside of the Urban Services Line and the Rural Services Line, which affect sensitive sites; and, all land divisions of 5 parcels (lots) or more.

Design Review Standards

13.11.072 Site design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Site Design			
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		
Parking location and layout	✓		
Relationship to natural site features and environmental influences	✓		
Landscaping	✓		
Streetscape relationship	✓		
Street design and transit facilities	✓		
Relationship to existing structures	✓		

Natural Site Amenities and Features			
Relate to surrounding topography	✓		
Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		
Ridgeline protection	✓		
Views			
Protection of public viewshed	✓		
Minimize impact on private views	✓		
Safe and Functional Circulation			
Accessible to the disabled, pedestrians, bicycles and vehicles	✓		
Solar Design and Access			
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		
Noise			
Reasonable protection for adjacent properties	✓		

13.11.073 Building design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Building Design			
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings	✓		
Street face setbacks	✓		
Character of architecture	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and treatment of entryways	✓		
Finish material, texture and color	✓		
Scale			
Scale is addressed on appropriate levels	✓		

Design elements create a sense of human scale and pedestrian	✓		
Building Articulation			
Variation in wall plane, roof line, detailing, materials and siting	✓		
Solar Design			
Building design provides solar access that is reasonably protected for adjacent properties	✓		
Building walls and major window areas are oriented for passive solar and natural lighting	✓		

C O U N T Y O F S A N T A C R U Z
Discretionary Application Comments

Project Planner: Robin Bolster
Application No.: 08-0534
APN: 067-041-24

Date: July 21, 2009
Time: 14:52:12
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Environmental Planning Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 12, 2009 BY JESSICA L DEGRASSI =====

Please submit a plan that shows the proposed development (disturbance) envelopes, existing structures and hardscape, and proposed structures and proposed hardscape. This information is necessary to determine whether the proposed development exceeds the square footage allowed within the Sandhills area (15,000 sq ft). Please see Misc comments for compliance issues. ===== UPDATED ON JANUARY 13, 2009 BY CAROLYN I BANTI =====

-- First Review Completeness -- Soils and Grading --

The soils report (CMAG, 11/4/08) has been reviewed and accepted. Please see letter dated 1/13/08.

The soils report recommends overexcavation and recompaction of the compressible material beneath pavements, foundations and slabs-on-grade. Please show the lateral extents of overexcavation and recompaction on the plans. ===== UPDATED ON APRIL 7, 2009 BY CAROLYN I BANTI =====

++ Second Review Completeness ++ Soils and Grading ++

Comment Addressed. Please see misc. comments/conditions of approval for details to be addressed prior to building permit issuance. ===== UPDATED ON APRIL 8, 2009 BY JESSICA L DEGRASSI =====

Project has been revised, but still does not address comments regarding limits of proposed disturbance.

Sheet 1 shows an outline of area disturbed by construction activities as 14,500 square feet. This sheet does NOT include the total proposed disturbance activities as shown on other sheets, specifically TM2 and TM3.

Please show ALL ground disturbing activities on one sheet, which must include proposed utility trenching (as shown on TM2), drainage swales (as shown on TM3), limits of grading including required over-excavation and recompaction (as partly shown on TM3) etc. The total ground disturbance must NOT exceed 15,000 square feet. Please revise plans accordingly.

Please provide another section through parcel B and C which clearly shows the limits of grading associated with the proposed house and driveway.

Environmental Planning Miscellaneous Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 12, 2009 BY JESSICA L DEGRASSI =====

The proposed development must be designed to avoid impacts to the Sandhills onsite by limiting the amount of disturbance included with proposed development.

Discretionary Comments - Continued

Project Planner: Robin Bolster
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If impacts cannot be avoided, they must be minimized to the maximum extent feasible as stated in General Plan policy 5.1.6 and 5.1.7. Limit the removal of native vegetation to minimum necessary for structure, yards and driveways. The current development plan must be redesigned to comply with this policy. For example, the driveways can be relocated or combined to serve both proposed new houses in order to minimize disturbance. ===== UPDATED ON JANUARY 13, 2009 BY CAROLYN I BANTI
=====

-- First Review Compliance -- Soils and Grading --

The residence on Parcel C is greater than 150 feet from the nearest roadway. Please provide a fire truck turn-around area compliant with current fire code standards.

-- First Review Misc/Conditions -- Soils and Grading --

Please provide two copies of the accepted soils report with the building permit application.

As requested in the soils report acceptance letter, please provide an electronic copy of the soils report prior to building permit issuance.

Please provide a plan review letter with the building permit application stating that the final project plans are in conformance with the recommendations of the soils report.

Please provide earthwork quantities for overexcavation and recompaction as required by the soils report. ===== UPDATED ON APRIL 7, 2009 BY CAROLYN I BANTI =====

++ Second Review Compliance ++ Soils and Grading ++

Comment N/A: Residence appears to be in conformance with code. Does not require additional fire truck turn-around.

++ Second Review Misc/Conditions ++ Soils and Grading ++

Please show depth and lateral extents of overexcavation/recompaction in plan and cross-section views on building permit plans. ===== UPDATED ON APRIL 8, 2009 BY JESSICA L DEGRASSI =====

Housing Completeness Comments

===== REVIEW ON JANUARY 5, 2009 BY PATRICK J HEISINGER =====
NO COMMENT
There are no affordable housing requirements for this permit.

Housing Miscellaneous Comments

===== REVIEW ON JANUARY 5, 2009 BY PATRICK J HEISINGER =====
NO COMMENT

Discretionary Comments - Continued

Project Planner: Robin Bolster
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There are no affordable housing requirements for this permit.

Dpw Drainage Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 15, 2009 BY DAVID W SIMS =====

1st Routing:

The proposal is out of compliance with County drainage policies and the County Design Criteria (CDC) Part 3, Stormwater Management, June 2006 edition. This proposal is wholly inconsistent with all County stormwater requirements, and the Stormwater Management section cannot recommend approval of the project as proposed.

The current proposal provides notation on sheet TM3 that building areas on Parcel A and B are to be connected to a series of stormdrain pipes which route directly to the parcel edges and are discharged without any stormwater mitigation provisions whatsoever. Site soils are mapped with a permeability of 6 to 20"/hr., which is a condition highly conducive to the design of complete on-site mitigations.

The applicant will need to resubmit plans with a stormwater management proposal that is consistent with County policies and design criteria requirements. Once such a correctly oriented plan is received, review and comment on its content will proceed.

Reference for County Design Criteria: <http://www.dpw.co.santa-cruz.ca.us/DESIGNCRITERIA.PDF> ===== UPDATED ON MARCH 27, 2009 BY TRAVIS RIEBER =====

1. How does the existing house to be relocated runoff drain? Are there any problems? Demonstrate that the runoff from the new location will not adversely impact adjacent or downstream properties. Please show all existing and proposed drainage features on the plans.

2. How does the existing driveway runoff drain? Are there any problems? Please show all existing and proposed drainage improvements on the plans. Clearly indicate on the plans what changes if any are being proposed for the existing driveway drainage.

3. Does this site currently receive any runoff from Twin Pines Drive or adjacent/upslope properties? If so, how will the project continue to accept this runoff without causing adverse impacts to the proposed structures or adjacent/downstream properties.

4. Make clear on the plans the locations of downspouts. Clearly indicate where downspouts will discharge. It is recommended that the downspouts not be piped directly to the swales but to the open areas within the parcels and utilize the swales for intercepting runoff at the property lines and directing it toward the street.

5. Please provide a tributary drainage area map and calculations demonstrating that the existing AC ditch and the proposed 15 inch driveway culverts along Tan Oaks Drive are adequately sized. Please reference the Santa Cruz County Design Criteria for design requirements. The design criteria can be found on the internet at: <http://www.dpw.co.santa-cruz.ca.us/DESIGN%20CRITERIA.PDF>

Discretionary Comments - Continued

Project Planner: Robin Bolster
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6. According to the plans the existing AC ditch along Tan Oaks Drive and the proposed 15 inch driveway culverts are upstream of an existing 12 inch culvert. Please describe the offsite drainage path to a safe point of release. Include details such as specific drainage features, their condition and their capacity.

7. County Design Criteria requires topography be shown a minimum of 50 feet beyond the project work limits. Please provide these minimum extents for the existing condition. It may be necessary to extend further along Twin Pines Drive in order to show road drainage behavior clearly.

8. According to the impervious area calculations the existing AC driveway is being removed and replaced with a pervious pavement driveway. These calculations are inconsistent with sheets TM2, TM3 and TM4 which show the existing AC driveway to remain. Please clarify what is being proposed.

The applicant is encouraged to discuss the above comments with the reviewer to avoid unnecessary additional routings. Please call the Dept. of Public Works, Storm Water Management Section, from 8:00 am to 12:00 noon if you have questions. ===== UP-DATED ON JUNE 5, 2009 BY TRAVIS RIEBER =====
Previous comments have not been addressed completely.

1. As proposed the development runoff overflow will be diverted to Tan Oak Drive impacting the downstream system on Tan Oak Drive and Lockwood Lane. Please include the subject site in the tributary drainage area map. Provide specific details such as drainage features (i.e. the two culverts directly downstream of the 12 inch culvert along Tan Oak Drive shown on the plans), their condition and their capacity. The submitted culvert sizing calculations are for a 10 year storm, the design criteria requires flood overflow design for a 25 year storm. Please show on the plans a safe overflow path for the existing downstream culverts along Tan Oak Drive and demonstrate there will be no adverse impacts to downstream properties or to the road. Based on the assessment of the downstream facilities upgrades maybe required prior to considering the application complete. The design criteria can be found on the internet at: <http://www.dpw.co.santa-cruz.ca.us/DESIGN%20CRITERIA.PDF>

2. It is the property owner-s responsibility to get the proper approval from the City of Scotts Valley regarding the adequacy of the downstream drainage system to a reasonable safe point of release.

The applicant is encouraged to discuss the above comments with the reviewer to avoid unnecessary additional routings. Please call the Dept. of Public Works, Storm Water Management Section, from 8:00 am to 12:00 noon if you have questions. ===== UP-DATED ON JULY 15, 2009 BY TRAVIS RIEBER =====

The plans dated 5/5/09, storm drainage calculations with revisions dated 6/29/09, and the letter from the City of Scotts Valley have been received. The project may be considered complete with the following condition:

The engineer shall propose improvements for the culverts downstream of the subject site that are identified in the storm drainage calculations as not adequate for a 25 year storm event. The engineer shall demonstrate how the proposed improvements will prevent adverse impacts to downstream properties.

Discretionary Comments - Continued

Project Planner: Robin Bolster
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Dpw Drainage Miscellaneous Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 15, 2009 BY DAVID W SIMS =====
NO COMMENT

===== UPDATED ON MARCH 27, 2009 BY TRAVIS RIEBER =====

1. Clearly label all proposed surfaces on the drainage plan.
2. Please provide a cross section construction detail of the proposed pervious paving.
3. Please provide a cross section construction detail of the proposed graded swales.
4. A recorded maintenance agreement may be required for certain stormwater facilities.
5. For fee calculations please provide tabulation of existing impervious areas and new impervious areas resulting from the proposed project. Make clear on the plans by shading or hatching the limits of both the existing and new impervious areas. To receive credit for the existing impervious surfaces please provide documentation such as assessor-s records, survey records, aerial photos or other official records that will help establish and determine the dates they were built.

Note: A drainage fee will be assessed on the net increase in impervious area. Reduced fees are assessed for semi-pervious surfacing to offset costs and encourage more extensive use of these materials. ===== UPDATED ON JUNE 5, 2009 BY TRAVIS RIEBER =====

===== UPDATED ON JULY 15, 2009 BY TRAVIS RIEBER =====

See completeness comment

1. Clearly label all proposed surfaces on the drainage plan.
2. Please provide a cross section construction detail of the proposed pervious paving.
3. Please provide a cross section construction detail of the proposed graded swales.
4. A recorded maintenance agreement may be required for certain stormwater facilities.

The applicant is encouraged to discuss the above comments with the reviewer to avoid unnecessary additional routings. Please call the Dept. of Public Works, Storm Water Management Section, from 8:00 am to 12:00 noon if you have questions.

Dpw Road Engineering Completeness Comments

===== REVIEW ON JANUARY 8, 2009 BY GREG J MARTIN =====

No Comment. ===== UPDATED ON MARCH 26, 2009 BY GREG J MARTIN =====

Dpw Road Engineering Miscellaneous Comments

Discretionary Comments - Continued

Project Planner: Robin Bolster
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===== REVIEW ON JANUARY 8, 2009 BY GREG J MARTIN =====
===== UPDATED ON MARCH 26, 2009 BY GREG J MARTIN =====

Environmental Health Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 13, 2009 BY JIM G SAFRANEK =====
===== UPDATED ON APRIL 3, 2009 BY JIM G SAFRANEK =====
NO COMMENT

Environmental Health Miscellaneous Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON APRIL 3, 2009 BY JIM G SAFRANEK =====
NO COMMENT

Scotts Valley Fire District Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 20, 2009 BY MARIANNE E MARSANO =====
NO COMMENT
===== UPDATED ON APRIL 6, 2009 BY MARIANNE E MARSANO =====
DEPARTMENT NAME:Scotts Valley Fire District
No comments.

Scotts Valley Fire District Miscellaneous Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 20, 2009 BY MARIANNE E MARSANO =====
NO COMMENT



SAN LORENZO VALLEY WATER DISTRICT

13060 Highway 9 • Boulder Creek, CA 95006-9119
Office (831) 338-2153 • Fax (831) 338-7986
Website: www.slvwd.com

June 27, 2006

Owen Lawlor
612 Spring St
Santa Cruz Ca 95060

LAWYR BOSCH

Subject: Request for Meter Service
APN: 67-041-24

Dear Customer:

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

Your request has been:

- Approved. Please come to the District to pay your connection charges.
- Approved. Please bring your plumbing plans and sprinkler system flow requirement to the District to determine the cost of the water connection.
- Conditions. Please contact the District office to discuss and make necessary arrangements.
- Denied. Please contact the District office to discuss this meter request if you have any questions.

- **Approval can be withdrawn at any time.**
- **Water service is never guaranteed until service has been approved, sized and all fees paid.**
- **Any addition of plumbing fixtures and/or residential fire sprinkler system to the existing water service requires an additional review by District staff and approval for compliance with meter sizing District Ordinances.**

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

Sincerely:

Roxanne Spring

Roxanne Spring
Senior Customer Service/Accounts Specialist

DOMESTIC or JOINT DOMESTIC/RESIDENTIAL FIRE SERVICE-METER REVIEW

Request Date 6/20/06 APN 67-041-24

Why lot split - new service

Existing water sources: None Well Spring Meter Account # _____

Owner's Name Larry Busch

Existing Units 1

MAIL TO: Owen Lawlor

Units to be built 1

612 Spring St.

Pad Elevation _____

Santa Cruz CA 95060

Phone 457-133

ENGINEERING REVIEW: Date 6/27/2006
6" Main Fronting Parcel.

Reimbursement Agreement for Parcel
In/Out District 1
Tank Elevation _____
Main Size _____
Zone 27

[Signature]
Engineering Department

FIELD OPERATION REVIEW: Date 6/27/2006
NO OPERATIONAL PROBLEMS, INCREASE IN INSTALLATION COST DUE TO PAVING REQUIREMENTS \$3000

Backflow Needed
DC _____ RP _____

OK FOR SERVICE

[Signature]
Operations Superintendent

WATERSHED ANALYST REVIEW: Date _____

Watershed Analyst

MANAGER REVIEW: Date 6/27/06

Approved Conditions _____ Denied _____

[Signature]
District Manager

SECOND MANAGER REVIEW: Date _____

Approved _____ Agreement _____



City of Scotts Valley

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

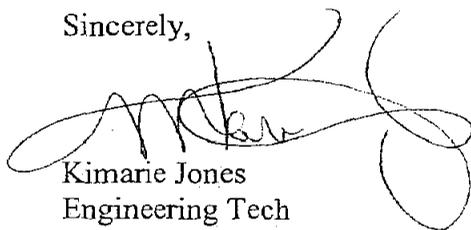
June 21, 2006

Owen Lawlor
587 Twin Pines Dr
Scotts Valley, Ca. 95066.

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

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

Sincerely,



Kimarie Jones
Engineering Tech

RECORDED AT REQUEST OF:
County of Santa Cruz

WHEN RECORDED MAIL TO:
Jessica Duktig
Santa Cruz County Planning
701 Ocean St.
Santa Cruz, CA 95060

(Space above this line for Recorder's use only)

DECLARATION OF RESTRICTION REGARDING SANDHILLS HABITAT

This declaration is made in the County of Santa Cruz, State of California, effective _____, 20____ by _____ owner(s) of real property described in Exhibit "A" attached hereto and incorporated herein by reference, also known as Assessor's Parcel Number(s) _____ (hereinafter "subject property"), who hereby declare(s) that all of the property described below shall be held, transferred, sold, and conveyed subject to the following restrictions and conditions, which are for the purpose of compliance with the County Code of the County of Santa Cruz, and which shall run with the title to the property and be binding on all parties having any right, title or interest in the property or any part thereof, their heirs, assigns, and any other transferees and successors and shall apply to each owner thereafter.

RECITALS

WHEREAS, Declarants have proposed a Minor Land Division to create three lots (hereafter referred to as the "project") as described in Exhibit B attached hereto and incorporated herein by reference;

WHEREAS, the Sensitive Habitat Protection Ordinance of the County of Santa Cruz (Chapter 16.32 of the County Code, hereinafter "the Ordinance") requires that any development approved by the County of Santa Cruz (hereinafter the "County") shall mitigate significant environmental impacts;

WHEREAS, the County has found that the subject property is located in sensitive habitat as defined in Chapter 16.32 of the County Code in that the property contains Zayante Sandhills that supports endemic plant and animal communities, including Mount Hermon June beetle (*Polyphylla barbata*: Coleoptera: Scarabaeidae), which has been identified on nearby parcels and is a federally protected species. An analysis of this habitat and species is included in the "Low-Effect Habitat Conservation Plan," prepared by Richard A. Arnold, dated October 2006, which was submitted in conjunction with approved Minor Land Division #08-0534.

WHEREAS, Declarants have made application for a permit to develop on project site (hereinafter "said permit"), and such development, if inappropriately sited, designed or utilized could have a significant adverse impact in the sensitive habitat described above;

WHEREAS, The County has found that to issue an approval or permit consistent with said Sensitive Habitat Protection Ordinance the County must be assured that the development will be sited, designed and utilized so as to not significantly adversely impact the sensitive habitat;

WHEREAS, the County has found that the restrictions enumerated hereinafter, as shown in Exhibit B, will confine the development to a limited area, prevent expansion of the development, and otherwise constrain the development, and will thus adequately mitigate the adverse impacts set forth above; and

WHEREAS, it is intended that the restrictions contained herein shall be and shall continue to be, to the end of the term of said restrictions, enforceable restrictions within the meaning of Article XIII, Section 8 of the California Constitution and that said revisions shall thereby qualify as an enforceable restriction under the provisions of the California revenue and Taxation Code Section 402.1.

RESTRICTIONS

NOW THEREFORE, in consideration of the mutual benefits and covenants hereby acknowledged by the parties and the substantial public benefits for the protection of the sensitive habitat, Declarant(s) hereby declare(s) that they are subject to the following restrictions and conditions.

1. **USE OF PARCEL**. Development as defined in Chapter 16.32 of the County Code (including, without limitation, removal of trees and other vegetation, grading, paving, installation of structures such as signs, buildings, or other structures of similar impact) shall be subject to the following restrictions. These restrictions are designed to limit habitat degradation and reduce direct death and/or injury to listed species.
 - a. No ground disturbance is allowed outside the area shown as the disturbance envelope.
 - b. Total site disturbance shall not exceed 15,000 square feet as identified on Exhibit 'B'.
 - c. During construction, ground disturbing activities (e.g. vegetation clearing, grading, digging etc.) shall not occur during the adult flight season of the Mount Hermon June beetle (May 15-Aug15) to the extent feasible.
 - d. Revegetation of disturbed areas shall be with native Sandhills plant species. Plant species shall be locally derived, if possible.
 - e. Landscaping outside of disturbance envelope shall exclude the use of turf grass, weed matting, aggregate and mulch, and any other non-native plant species.
 - f. During construction, no night lighting shall be allowed during the flight season of the Mount Hermon June beetle (May 15-Aug 15).
 - g. During construction, areas that have been recently disturbed by the development project shall be covered every evening (during May15-Aug15) with tarps, landscape fabric or other similar material, to avoid insects entering the soil.

2. **TERM.** This Declaration of Restrictions shall be in effect for a period beginning on the effective date stated above and continuing for the life of the development approved by said approval and/or permit, and so long as any development rights whatsoever remain or are claimed under said approval and/or permit.
3. **RECORDATION OF DOCUMENTS.** This Declaration of Restrictions shall be duly recorded on the Office of the Recorder for the County of Santa Cruz. In the event that under the terms and conditions of this document, or any subsequent mutual written agreement, these restrictions are terminated with respect to all or any part of the subject property, the County shall, upon written request, execute and record with the Recorder of the County of Santa Cruz any documents necessary to evidence such termination.
4. **SUCCESSORS IN INTEREST.** This declaration of Restrictions shall be appurtenant to the land described herein, for the term described herein, and all obligation hereby imposed shall be deemed to be covenants and restrictions running with the land, and shall bind any person having at any time any interest or estate in the subject property and as such shall be binding upon and inure to the benefit of all successors, transferees and assigns of the Declarants.
5. **CONSTRUCTION OF VALIDITY/SEVERABILITY.** If any provisions of these restrictions shall be held to be invalid, or for any reason become unenforceable no other provision shall be thereby affected or impaired, but rather shall be deemed severable.
6. **ENFORCEMENT OF DECLARATION.** Any conveyance, contract, or authorization (whether written or oral) by the Declarants or their successors on interest which would permit use of the subject property contrary to the term of this Declaration of Restrictions shall be deemed a breach of this Declaration. County or its successors may bring any action by administrative or judicial proceeding when County deems necessary of convenient to enforce this Declaration of Restrictions including, but not limited to, an action to enforce the Declaration. Declarants understand and agree that the enforcement proceedings provided in this paragraph are not exclusive and that County may pursue any appropriate legal and equitable remedies.

DECLARATION OF RESTRICTIONS

This Declaration shall run with the land and shall be binding upon the undersigned, any future owners, encumbrances, their successors, heirs or assignees. This document should be disclosed to the foregoing individuals. This Declaration may not be altered or removed from the records of the County Recorder without the prior consent of the Planning Director of the County of Santa Cruz.

IN WITNESS WHEREOF, Declarants have executed this Declaration of Restrictions on the _____ day of _____, 20____.

Declarant

Declarant

ACKNOWLEDGEMENT OF DECLARANTS(S)

State of California County of Santa Cruz

On _____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

Signature

EXHIBIT "A"

All that real property situated in the County of Santa Cruz, State of California,
conveyed from _____ to _____
by deed recorded on Document number _____ - _____, Santa Cruz County.
Official Records on _____ . Assessor's Parcel No. _____

RECORDED AT REQUEST OF:
County of Santa Cruz

WHEN RECORDED MAIL TO:
Jessica Duktig
Santa Cruz County Planning
701 Ocean St.
Santa Cruz, CA 95060

(Space above this line for Recorder's use only)

DECLARATION OF RESTRICTION REGARDING SANDHILLS HABITAT

This declaration is made in the County of Santa Cruz, State of California, effective _____, 20____ by _____ owner(s) of real property described in Exhibit "A" attached hereto and incorporated herein by reference, also known as Assessor's Parcel Number(s) _____ (hereinafter "subject property"), who hereby declare(s) that all of the property described below shall be held, transferred, sold, and conveyed subject to the following restrictions and conditions, which are for the purpose of compliance with the County Code of the County of Santa Cruz, and which shall run with the title to the property and be binding on all parties having any right, title or interest in the property or any part thereof, their heirs, assigns, and any other transferees and successors and shall apply to each owner thereafter.

RECITALS

WHEREAS, Declarants have proposed to construct a single-family dwelling (hereafter referred to as the "project") as described in Exhibit B attached hereto and incorporated herein by reference;

WHEREAS, the Sensitive Habitat Protection Ordinance of the County of Santa Cruz (Chapter 16.32 of the County Code, hereinafter "the Ordinance") requires that any development approved by the County of Santa Cruz (hereinafter the "County") shall mitigate significant environmental impacts;

WHEREAS, the County has found that the subject property is located in sensitive habitat as defined in Chapter 16.32 of the County Code in that the property contains Zayante Sandhills that support endemic plant and animal communities, including Mount Hermon June beetle (*Polyphylla barbata*: Cloleptera: Scarabaeidae), which has been identified on nearby parcels and is a federally-protected species. An analysis of this habitat and species is included in the "Low-Effect Habitat Conservation Plan" prepared by Richard A. Arnold, dated October 2006, which was submitted in conjunction with approved Minor Land Division #08-0534.

WHEREAS, Declarants have made application for a permit to develop on project site (hereinafter "said permit"), and such development, if inappropriately sited, designed or utilized could have a significant adverse impact in the sensitive habitat described above;

WHEREAS, The County has found that to issue an approval or permit consistent with said Sensitive Habitat Protection Ordinance the County must be assured that the development will be sited, designed and utilized so as to not significantly adversely impact the sensitive habitat;

WHEREAS, the County has found that the restrictions enumerated hereinafter, as shown in Exhibit B, and will confine the development to a limited area, prevent expansion of the development, and otherwise constrain the development, and will thus adequately mitigate the adverse impacts set forth above; and

WHEREAS, it is intended that the restrictions contained herein shall be and shall continue to be, to the end of the term of said restrictions, enforceable restrictions within the meaning of Article XIII, Section 8 of the California Constitution and that said revisions shall thereby qualify as an enforceable restriction under the provisions of the California revenue and Taxation Code Section 402.1.

RESTRICTIONS

NOW THEREFORE, in consideration of the mutual benefits and covenants hereby acknowledged by the parties and the substantial public benefits for the protection of the sensitive habitat, Declarant(s) hereby declare(s) that they are subject to the following restrictions and conditions.

1. **USE OF PARCEL**. Development as defined in Chapter 16.32 of the County Code (including, without limitation, removal of trees and other vegetation, grading, paving installation of structures such as signs, buildings, or other structures of similar impact) shall be subjected to the following restrictions. These restrictions are designed to limit habitat degradation and reduce direct death and/or injury to listed species.
 - a. No development is allowed outside the area shown as the Disturbance Envelope as shown on Exhibit B.
 - b. Total site disturbance shall not exceed that area identified on Exhibit B, as being within the disturbance area, for which conservation credits have been accepted.
 - c. Landscaping within the disturbance envelope shall consist of native plants and shall exclude the use of turf grass, weed matting, aggregate and mulch, and any non-native plant species.
 - d. Any clearing, including for the purpose of fire safety, shall be preceded by the submittal of a plan describing the work, to receive review and approval by the Planning Department.
 - e. Permanent outdoor lighting shall be minimized and shall be shielded by fixture design or other means to minimize illumination of surrounding areas. Light sources that do not attract insects (e.g. yellow or sodium vapor bulbs) shall be used if outdoor lighting is necessary (e.g. security or handicap access structures).
 - f. The removal of hazardous substances or conditions or non-native or diseased plants or trees shall not be allowed until such removals have been reviewed and approved by the Planning Director or designee.

2. **TERM.** This Declaration of Restrictions shall be in effect for a period beginning on the effective date stated above and continuing for the life of the development approved by said approval and/or permit, and so long as any development rights whatsoever remain or are claimed under said approval and/or permit.
3. **RECORDATION OF DOCUMENTS.** This Declaration of Restrictions shall be duly recorded on the Office of the Recorder for the County of Santa Cruz. In the event that under the terms and conditions of this document, or any subsequent mutual written agreement, these restrictions are terminated with respect to all or any part of the subject property, the County shall, upon written request, execute and record with the Recorder of the County of Santa Cruz any documents necessary to evidence such termination.
4. **SUCCESSORS IN INTEREST.** This declaration of Restrictions shall be appurtenant to the land described herein, for the term described herein, and all obligation hereby imposed shall be deemed to be covenants and restrictions running with the land, and shall bind any person having at any time any interest or estate in the subject property and as such shall be binding upon and inure to the benefit of all successors, transferees and assigns of the Declarants.
5. **CONSTRUCTION OF VALIDITY/SEVERABILITY.** If any provisions of these restrictions shall be held to be invalid, or for any reason become unenforceable no other provision shall be thereby affected or impaired, but rather shall be deemed severable.
6. **ENFORCEMENT OF DECLARATION.** Any conveyance, contract, or authorization (whether written or oral) by the Declarants or their successors on interest which would permit use of the subject property contrary to the term of this Declaration of Restrictions shall be deemed a breach of this Declaration. County or its successors may bring any action by administrative or judicial proceeding when County deems necessary of convenient to enforce this Declaration of Restrictions including, but not limited to, an action to enforce the Declaration. Declarants understand and agree that the enforcement proceedings provided in this paragraph are not exclusive and that County may pursue any appropriate legal and equitable remedies.

DECLARATION OF RESTRICTIONS

This Declaration shall run with the land and shall be binding upon the undersigned, any future owners, encumbrances, their successors, heirs or assignees. This document should be disclosed to the foregoing individuals. This Declaration may not be altered or removed from the records of the County Recorder without the prior consent of the Planning Director of the County of Santa Cruz.

IN WITNESS WHEREOF, Declarants have executed this Declaration of Restrictions on the _____ day of _____, 20____.

Declarant

Declarant

ACKNOWLEDGEMENT OF DECLARANT(S)

State of California County of Santa Cruz

On _____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

Signature

EXHIBIT "A"

All that real property situated in the County of Santa Cruz, State of California,
conveyed from _____ to _____
by deed recorded on Document number _____, Santa Cruz County.
Official Records on _____ Assessor's Parcel No. _____