Staff Report to the Zoning Administrator

Application Number: 07-0617

Applicant: Nick Drobac
Owner: Helen Goode
APN: 059-041-36, -37

Agenda Date: September 19, 2008
Agenda Item #: 2
Time: After 10:00 a.m.

Project Description:
Proposal to (1) remove concrete rip-rap from a drainage swale and remediate the damage, and to (2) recognize the placement of concrete rip-rap and drainage system in a second drainage swale area to repair severe gully erosion and conduct appropriate remediation. Requires a Coastal Permit, a Grading Permit, a Riparian Exception and an Environmental Assessment.

Location:
No situs; property is located on the west side of a private right-of-way approximately 0.8 miles north of Hwy 1 and approximately 0.6 miles west of the intersection of Hwy 1 and Western Drive, Santa Cruz.

Supervisoral District: 3rd District (District Supervisor: Neal Coonerty)

Permits Required: Coastal Development Permit, Grading Permit, Riparian Exception and Environmental Review.
Technical Reviews: Geotechnical/ Soils Report, Biotic Assessment

Staff Recommendation:

- Certification of the Mitigated Negative Declaration issued on September 9, 2008 per the requirements of the California Environmental Quality Act.
- Approval of Application 07-0617, based on the attached findings and conditions.

Exhibits

A. Project plans
B. Findings
C. Conditions
D. Mitigated Negative Declaration
E. Mitigation Measures and Initial Study

Parcel Information

Parcel Size:	215 acres
Existing Land Use - Parcel:	Agricultural
Existing Land Use - Surrounding:	Agricultural, Parks and Recreation, Residential

Project Access:	From private right-of-way 0.8 miles north of Hwy 1
Planning Area:	Bonny Doon
Land Use Designation:	AG (Agriculture)
Zone District:	CA (Commercial Agriculture)
Coastal Zone:	_x_ Inside __ Outside
Appealable to Calif. Coastal Comm.	_x_ Yes __ No

Environmental Information

Geologic Hazards:	Liquefaction and Landslide mapped for portions of the site
Soils:	various
Fire Hazard:	No
Slopes:	0-30% in project area
Env. Sen. Habitat:	Yes, portion of site. Potential habitat for California red-legged frogs, Ohlone tiger beetles, burrowing owls and a number of special-status plant species.
Grading:	Placement of rip-rap and removal of rip-rap
Tree Removal:	No trees proposed to be removed
Scenic:	Yes- southern portion of parcel adjacent to Hwy 1
Drainage:	Drainage adequate w/ proposed remediation
Archeology:	Portion of site mapped as potential Archeological Resources, but all work will be in previously disturbed and graded areas.

Services Information

Urban/Rural Services Line:	__ Inside _x_ Outside
Water Supply:	Private well
Sewage Disposal:	Private septic
Fire District:	County Fire
Drainage District:	n/a

History

In 2000, a contractor for the Mission Street improvement project (Graniterock) and the Younger Ranch manager agreed to deposit some of the concrete rip-rap left over from sidewalk demolition on Mission Street to repair erosion in two drainage swales on the Younger Ranch property. The upper site was a severely eroded gully. Erosion at the lower site was less severe and consisted of excessive channel down cutting.

After the Planning Department became aware of the work, the project was determined to be a code violation because a Coastal Development Permit, Grading Permit, Riparian Exception and Environmental Review are required for the work. The Planning Department then worked with the ranch manager, contractor, geotechnical engineer and biological consultant to stabilize the sites while geotechnical and biotic reviews were completed. It was determined by Environmental Planning staff that leaving the rip-rap in place at the upper site is an acceptable method to address severe gully erosion and prevent further sedimentation of downstream aquatic resources. Restoration to a broad grassy swale similar to its pre-gully condition is proposed for the upper site. Swale areas would be fenced to exclude cattle from the remediation sites.

Concrete rip-rap is proposed to be removed from the lower swale fill site using hand labor and a

small loader and disposed off-site. Remediation of the lower fill site will also include road crossing culvert repair, a check dam, rounding and re-seeding the channel banks, planting willows and cattle fencing. In addition, gabion-sized rock placed in the swale upstream of the road crossing will be removed to restore seasonal pools that occur in the swale.

A Mitigated Negative Declaration was prepared per California Environmental Quality Act (CEQA) requirements and the public comment/ review period for that document concluded on September 8, 2008.

Project Setting

The existing setting is coastal terrace cattle grazing land. The proposed project is designed to restore two existing drainage swale areas. Approximately 0.11 acres of wetlands have been disturbed (3,000 square feet in the lower fill site and 2,000 square feet at the upper fill site) by placement of the concrete rip-rap. The proposed remediation project will serve to restore two existing drainage swale areas to a more natural function and appearance. No unique geological or physical features on or adjacent to the site would be modified by the project. The proposed project is located near several watercourses (seasonal creeks), and there will be no alteration to the existing natural drainage pattern of the site.

The south border of the subject parcel is along the Highway 1 County-designated Scenic Resource area. However, the proposed project areas within the parcel are outside of the mapped Scenic Resources area, and are not in the public viewshed.

Zoning & General Plan Consistency

The subject property consists of two parcels of 200.7 acres and 14.3 acres, located in the CA (Commercial Agriculture) zone district, allowing for agricultural uses. The proposed remediation to drainage swales is a permitted use within the zone district and the project is consistent with the site's (AG) Agriculture General Plan designation.

Local Coastal Program Consistency

The proposed remediation to the prior fill of drainage swales with rip-rap is in conformance with the County's certified Local Coastal Program, in that the remediation is consistent with the agricultural uses on site and will not be visible to the surrounding neighborhood. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. The proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review

While the southern portion of the subject parcels adjacent to Highway 1 is mapped Scenic Resources, the proposed remediation project is not within the mapped Scenic Resources, no structural development is proposed, and the project is not visible from public areas, so Design Review was not required.

Environmental Review

Environmental review has been 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 August 11, 2008. A determination to issue a Mitigated Negative

Declaration (Exhibit D) was made on August 18, 2008. The mandatory public comment period expired on September 8, 2008, with no comments received.

The environmental review process focused on the potential impacts of the project in the areas of Geology/ Soils, Hydrology/ Water Supply/ Water Quality, Biological Resources, Cultural Resources and Hazards and Hazardous Materials. The environmental review process generated mitigation measures that will reduce the potential impacts from the proposed development and adequately mitigate these issues. The Initial Study/ Mitigated Negative Declaration, which analyzes the potential environmental impacts, and the mitigation measures, are attached.

A Declaration of Restriction will be required to be recorded delineating the restrictions on the restoration sites and naming the protective measures that apply to the sites pursuant to the Sensitive Habitat Protection Ordinance.

Conclusion

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

Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **07-0617,** based on the attached findings and conditions.

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

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

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Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3259
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Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.

This finding can be made, in that the property is zoned CA (Commercial Agriculture), a designation that allows agricultural uses. The proposed remediation to the drainage swales is a permitted use within the zone district, consistent with the site's (AG) Agriculture General Plan designation.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

This finding can be made, in that the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to section 13.20.130 et seq.

This finding can be made, in that the proposed remediation project is not within the mapped Scenic Resources area, no structural development is proposed, and the project is not visible from public areas, so Design Review was not required.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and, as to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the drainage swale remediations will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. That the proposed development is in conformity with the certified local coastal program.

This finding can be made, in that the remediation is consistent with the agricultural uses on site and will not be visible to the surrounding neighborhood. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. The proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

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 agricultural uses and is not encumbered by physical constraints to development. The proposed drainage swale remediations will not deprive adjacent properties or the neighborhood of light, air, or open space, and the project area meets all current setbacks.

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 proposed location of the drainage swale remediations and the conditions under which they will be maintained will be consistent with all pertinent County ordinances and the purpose of the CA (Commercial Agriculture) zone district and the drainage swale remediations will meet all current site standards for the zone district.

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 proposed agricultural use is consistent with the use and density requirements specified for the Agriculture (AG) land use designation in the County General Plan.

The proposed drainage swale remediations will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meet 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 remediations 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 project vicinity.

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 drainage swale areas proposed for remediation are not accessible to motorists, bicyclists, and/or pedestrians. No additional traffic or utility use would be generated by the proposed project.

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 proposed swale remediation project is located on a large agricultural property where the drainage areas to be restored are a natural part of the coastal terrace used for cattle grazing. None of the proposed restoration/ remediation would result in anything that would be visually out of character with the open agricultural landscape.

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 proposed drainage swale remediation/ restoration will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

Exhibit A: Site Plans with Final Mitigation Plan, 2 sheets, prepared by Robert L. DeWitt and Associates, Inc. dated October 2000 and revised 10/10/00, 10/20/04 and 2/15/08.

I. This permit authorizes the (1) removal of concrete rip-rap from a drainage swale and remediation of prior damage, and (2) recognition of the placement of concrete rip-rap and a drainage system in a second drainage swale area and associated site remediation. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/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. Obtain a Grading Permit from the Santa Cruz County Building Official.

C. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).

D. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.

E. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.

F. In order to ensure that the mitigation measures identified in the Mitigated Negative Declaration for 07-0617 are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall covene a pre-construction meeting on the site. The following parties shall attend: the applicant, the grading contractor supervisor, the project geotechnical engineer, the project biologist and Santa Cruz County Environmental Planning staff. All parties shall reaffirm the permit conditions and the work plan, and the destination for the excess fill and the removed rip-rap shall be identified at that time.

G. In order to minimize impacts from accelerated erosion, prior to Grading Permits issuance the applicant shall submit a detailed erosion control plan for review and approval by the County Environmental Planning staff.

H. In order to minimize impacts to protected rare or endangered species, winter grading shall not be approved, and all grading work shall be done after May 1st and completed before October 15th.

I. Prior to the issuing of a Grading Permit the applicant shall record a Declaration of Restriction on the property deed. The document shall delineate the two project

sites and describe the potential impacts and mitigation measures imposed with this project to protect the sensitive habitat. The declaration shall include the maps prepared by the project biologist, and shall require fencing to be maintained as follows:

1. Maintenance of the existing fence to exclude cattle from the upper fill site or reduction of the fenced area to encompass just the area delineated by area C1 on the map;
2. Installation and maintenance of a fence to encompass the channel banks at the lower project site between the road crossing culvert and the check dam delineated by area A1 on the map.

II. All restoration and remediation shall be performed according to the approved plans for the Grading Permit. Prior to final Grading Permit approval, the applicant/owner must meet the following conditions:

A. All site improvements shown on the final approved Grading Permit plans shall be installed.

B. All inspections required by the Grading Permit shall be completed.

C. The project must comply with all recommendations of the approved soils reports.

D. 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.

III. Operational Conditions

A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

IV. 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, it 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.

V. 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 above 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 Measures: Geology and Soils (Conditions I.F, I.G.)

Monitoring Program:

I.F. Pre-construction site meeting: A pre-construction site meeting will be a condition of approval of the grading permit. If site disturbance is begun prior to the meeting having taken place, a "stop work" notice will be placed on the project until the meeting is completed.

In order to ensure that the mitigation measures identified in the Mitigated Negative Declaration for 07-0617 are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall covene a pre-construction meeting on the site. The following parties hall attend: the applicant, the grading contractor supervisor, the project geotechnical engineer, the project biologist and Santa Cruz County Environmental Planning staff. All parties shall reaffirm the permit conditions and the work plan, and the destination for the excess fill and the removed rip-rap shall be identified at that time. (I.F.)

I.G. Erosion Control Plan: The Grading Permit will not be issued before this plan is reviewed and approved by Environmental Planning staff.

In order to minimize impacts from accelerated erosion, prior to Grading Permits issuance the applicant shall submit a detailed erosion control plan for review and approval by the County Environmental Planning staff. (I.G.)

B. Mitigation Measures: Hydrology/ Water Supply/ Water Quality (Conditions I.F, I.G.)

Monitoring Program:

I.F. Pre-construction site meeting: A pre-construction site meeting will be a condition of approval of the grading permit. If site disturbance is begun prior to the meeting having taken place, a "stop work" notice will be placed on the project until the meeting is completed.

In order to ensure that the mitigation measures identified in the Mitigated Negative Declaration for 07-0617 are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall covene a pre-construction meeting on the site. The following parties hall attend: the applicant, the grading contractor supervisor, the project geotechnical engineer, the project biologist and Santa Cruz County Environmental Planning staff. All parties shall reaffirm the permit conditions and the work plan, and the destination for the excess fill and the removed rip-rap shall be identified at that time. (I.F.)

I.G. Erosion Control Plan: The Grading Permit will not be issued before this plan is reviewed and approved by Environmental Planning staff.

In order to minimize impacts from accelerated erosion, prior to Grading Permits issuance the applicant shall submit a detailed erosion control plan for review and approval by the County Environmental Planning staff. (I.G.)

C. Mitigation Measures: Biological Resources (Conditions I.F., I.G., I.I.)

Monitoring Program:

I.F. Pre-construction site meeting: A pre-construction site meeting will be a condition of approval of the grading permit. If site disturbance is begun prior to the meeting having taken place, a "stop work" notice will be placed on the project until the meeting is completed.

In order to ensure that the mitigation measures identified in the Mitigated Negative Declaration for 07-0617 are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall covene a pre-construction meeting on the site. The following parties hall attend: the applicant, the grading contractor supervisor, the project geotechnical engineer, the project biologist and Santa Cruz County Environmental Planning staff. All parties shall reaffirm the permit conditions and the work plan, and the destination for the excess fill and the removed rip-rap shall be identified at that time. (I.F.)

I.H. Protection of Rare or Endangered Species: Environmental Planning staff will not issue the grading permit prior to May 1. A detailed construction schedule that documents how many days the work will require will be reviewed and approved, and the grading permit will not be issued if there is not sufficient time to complete the work prior to October 15.

In order to minimize impacts to protected rare or endangered species, winter grading shall not be approved, and all grading work shall be done after May 1st and completed before October 15th. (I.H.)

I.I. Protection of Sensitive Habitat: Planning staff will verify that a Declaration of Restriction has been recorded prior to grading permit issuance in order to ensure that the required fencing and other measures to protect the sensitive habitat in the work areas will continue to be maintained.

Prior to the issuing of a Grading Permit the applicant shall record a Declaration of Restriction on the property deed. The document shall delineate the two project sites and describe the potential impacts and mitigation measures imposed with this project to protect the sensitive habitat. The declaration shall include the maps prepared by the project biologist, and shall require fencing to be maintained as follows:

1. Maintenance of the existing fence to exclude cattle from the upper fill site or reduction of the fenced area to encompass just the area delineated by area C1 on the map;
2. Installation and maintenance of a fence to encompass the channel banks at the lower project site between the road crossing culvert and the check dam delineated by area A1 on the map. (I.I.)

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

Please note: This permit expires two years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey	Alice Daly
Deputy Zoning Administrator	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 Zoning Administrator, may appeal the act or determination to the Planning Commission 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

NOTICE OF ENVIRONMENTAL REVIEW PERIOD

SANTA CRUZ COUNTY

APPLICANT: **Nick Drobac, for Helen Goode**

APPLICATION NO.: **07-0617**

APN: **059-041-37**

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: **September 8, 2008**

Alice Daly/Dave Carlson
Staff Planner

Phone: **454-3259/454-3173**

Date: **August 12, 2008**

EXHIBIT D

NAME: Drobac Concrete Removal
APPLICATION: 07-0617
A.P.N: 059-041-37

NEGATIVE DECLARATION MITIGATIONS

A. In order to ensure that the mitigation measures B – D (below) are communicated to the various parties responsible for constructing the project, *prior to any disturbance on the property* the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: the applicant, the grading contractor supervisor, the project geotechnical engineer, the project biologist, and Santa Cruz County Environmental Planning staff. All parties shall reaffirm the permit conditions and work plan and the destination for the excess fill shall be identified at that time.

B. In order to *minimize impacts from accelerated erosion*, prior to issuing grading permits the applicant shall submit a detailed erosion control plan for review and approval of Environmental Planning Staff.

C. In order to minimize impacts to protected rare or endangered species, winter grading shall not be approved, and all grading work will be done after May 1st and completed before October 15th.

D. Prior to the issuing of a grading permit the applicant shall record a Declaration of Restriction on the property deed. The document shall delineate the two project sites and describe the potential impacts and mitigation measures imposed with this project to protect the sensitive habitat. The declaration shall include the maps prepared by the project biologist, and shall require fencing to be maintained as follows:

    1. Maintenance of the existing fence to exclude cattle from the *upper fill site or reduction of* the fenced area to encompass just the area delineated by area C1 on the map;
    2. Installation and maintenance of a fence to encompass the channel banks at the lower project site between the road *crossing culvert and the check dam* delineated by area A1 on the map.

EXHIBIT E

Environmental Review Initial Study

Application Number: 07-0617

Date: 8/4/08
Staff Planner: Alice Daly/ Dave Carlson

I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

APPLICANT: Nick Drobac **APN:** 059-041-37

OWNER: Helen Goode **SUPERVISORAL DISTRICT:** 3rd

LOCATION: No situs; property is located on the west side of a private right-of-way approximately 0.8 miles north of Hwy 1 and approximately 0.6 miles west of the intersection of Hwy 1 and Western Drive, Santa Cruz.

SUMMARY PROJECT DESCRIPTION:
Proposal to (1) remove concrete rip-rap from a drainage swale and remediate the damage, and to (2) recognize the placement of concrete rip-rap and drainage system in a second drainage swale area to repair severe gully erosion. Requires a Coastal Permit, a Grading Permit, a Riparian Exception and an Environmental Assessment.

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.

x	Geology/Soils	____	Noise
x	Hydrology/Water Supply/Water Quality	____	Air Quality
x	Biological Resources	____	Public Services & Utilities
____	Energy & Natural Resources	____	Land Use, Population & Housing
____	Visual Resources & Aesthetics	____	Cumulative Impacts
x	Cultural Resources	____	Growth Inducement
x	Hazards & Hazardous Materials	____	Mandatory Findings of Significance
____	Transportation/Traffic		

EXHIBIT E

DISCRETIONARY APPROVALS BEING CONSIDERED

____ General Plan Amendment	_x_ Grading Permit
____ Land Division	_x_ Riparian Exception
____ Rezoning	____ Other:
____ Development Permit	____
_x_ Coastal Development Permit	____

NON-LOCAL APPROVALS

Other agencies that must issue permits or authorizations: None

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.

_x_ 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

August 12 2008
Date

For: Claudia Slater
Environmental Coordinator

II. BACKGROUND INFORMATION

EXISTING SITE CONDITIONS

Parcel Size: 215 acres
Existing Land Use: Agriculture
Vegetation: coastal prairie
Slope in area affected by project: __x__ 0 - 30% ___ 31 – 100%
Nearby Watercourse: Wilder Creek, several unnamed streams
Distance To: Wilder Creek on west border of subject parcel

ENVIRONMENTAL RESOURCES AND CONSTRAINTS

Groundwater Supply: yes
Water Supply Watershed: Baldwin-Wilder
Groundwater Recharge: yes, western portion of parcel
Timber or Mineral: no
Agricultural Resource: yes, AG-3
Biologically Sensitive Habitat: yes, portion
Fire Hazard: no
Floodplain: no
Erosion: in swale areas to be remediated
Landslide: yes, small portion of site
Liquefaction: yes, portions of site
Fault Zone: no
Scenic Corridor: yes- southern portion of parcel adjacent to Hwy 1
Historic: no
Archaeology: yes, portion
Noise Constraint: no
Electric Power Lines: no
Solar Access: n/a
Solar Orientation: n/a
Hazardous Materials: n/a

SERVICES

Fire Protection: County Fire
School District: City of Santa Cruz
Sewage Disposal: private septic
Drainage District: n/a
Project Access: from private right-of-way 0.8 miles north of Hwy 1
Water Supply: private well

PLANNING POLICIES

Zone District: CA (Commercial Agriculture)
Special Designation: none
General Plan: Agriculture
Urban Services Line: ___ Inside __x__ Outside
Coastal Zone: __x__ Inside ___ Outside

PROJECT SETTING AND BACKGROUND:

During the Mission Street improvement project in 2000, the contractor, Graniterock and the Younger ranch manager arranged to use some of the concrete rip-rap from the broken up sidewalks of Mission Street to repair erosion in two drainage swales on the Younger ranch property. The upper site was a severely eroded gully. Erosion at the lower site was less severe and consisted of excessive channel down cutting. The lower site is located adjacent some corrals and is subject to intense cattle trampling as a result. After the Planning Department became aware of the work the project was

determined to be a code violation because permits, as designated in this report, are required for this type of work. The Planning Department then worked with the ranch manager, contractor, geotechnical engineer and biological consultant to complete work necessary to stabilize the sites while the appropriate geotechnical and biotic reviews were completed. It was determined that the gully repair at the upper site is an appropriate use of concrete rip-rap to address severe gully erosion and prevent further sedimentation of downstream aquatic resources. The lower site on the other hand would benefit from removal of the concrete rip-rap, installation of a check dam, and improvement to a road crossing culvert. Both upper and lower sites would also benefit from fencing the channel and bank areas with fencing to prevent excessive trampling by cattle. Additional work adjacent the lower site will consist of removal of rock placed in the natural pool system in the swale immediate upstream of the road crossing. A Declaration of Restriction will be recorded on the property deed delineating the restoration sites and the protective measures that apply to the sites pursuant to the Sensitive Habitat Protection Ordinance.

DETAILED PROJECT DESCRIPTION:

The project is a proposal to remediate the placement of approximately 3,300 cubic yards of concrete rip-rap within a drainage swale and to repair severe gully erosion on an agricultural property just north of the Santa Cruz City limit. Approximately 0.11 acres of wetlands have been disturbed (3,000 square feet in the lower fill site and 2,000 square feet at the upper fill site) by placement of the concrete rip-rap. In the upper fill site, the concrete rip-rap will remain in place covered with soil and gravel and as will a drainage system to stabilize the severe gully erosion that occurred in this location. The upper site has been restored to a broad grassy swale similar to pre-gully conditions. The swale areas will be fenced to exclude cattle from the sites. Concrete rip-rap is to be removed from the lower swale fill site using hand labor and a small loader and disposed of off-site. Remediation of the lower fill site will also include road crossing culvert repair, a check dam, rounding and re-seeding the channel banks, planting willows and fencing cattle out of the repair area. In addition, gabion-sized rock placed in the swale upstream of the road crossing will be removed to restore seasonal pools that occur in the swale.

III. ENVIRONMENTAL REVIEW CHECKLIST

A. Geology and Soils

Does the project have the potential to:

	Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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
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, therefore the potential for ground surface rupture is low. There is no indication that landsliding is a significant hazard at this site.

2. Subject people or improvements to damage from soil instability as a result of on- or off-site landslide, lateral spreading, to subsidence, liquefaction, or structural collapse?			X	

Following a review of mapped information and a field visit to the site, there is no indication that the site is subject to a significant potential for damage caused by any of these hazards.

	Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
3. Develop land with a slope exceeding 30%?				X
4. Result in soil erosion or the substantial loss of topsoil?		X		

Some potential for erosion exists during the construction phase of the site remediation, however, the proposed remediation to the rip-rap filled swale areas will result in diminished erosion at the project site. Standard erosion controls are a required condition of the project. Prior to approval of a grading or building permit, the project must have an approved Erosion Control Plan, which will specify detailed erosion and sedimentation control measures. The proposed remediation plan will include provisions for disturbed areas to be planted with ground cover and to be maintained to minimize surface erosion.

5. Be located on expansive soil, as defined in section 1802.3.2 of the California Building Code(2007), creating substantial risks to property?				X
6. Place sewage disposal systems in areas dependent upon soils incapable of adequately supporting the use of septic tanks, leach fields, or alternative waste water disposal systems?				X

No septic systems are proposed as part of this project.

7. Result in coastal cliff erosion?				X

There are no coastal cliffs in the subject parcel.

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

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
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 does not require a water supply. The project site relies on a private well for water supply for existing agricultural operations. The project does not include any new impervious surfaces. The project is not located in a mapped groundwater recharge area.

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

The project could potentially introduce sediment to downstream surface waters, however, potential siltation from the proposed project will be mitigated through implementation of erosion control measures.

	Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
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 that could result in flooding, erosion, or siltation on or off-site?	____	X	____	____

The proposed project is located near several watercourses, and if remediation plan recommendations are followed, there will be no adverse alteration to the existing natural drainage pattern of the site. The Department of Public Works, Drainage Section staff has reviewed the remediation plan and has not commented on any potential concerns.

According to the project geotechnical engineer (Attachment 3) the upper site has been stabilized with improvements such as revegetation, and storm water collection and discharge. No additional erosion or drainage problems have occurred since the original gully repair consisting of placement of concrete rip-rap and soil. The site is in a stable condition. The storm drain system is functioning and discharging below the infilled gully in a proper manner, causing no erosion at its discharge point. The key and benched embankment at the bottom of the gully above the willow tree is functioning well There is no sign of piping or seepage from the graded structure. Two additional measures will be implemented at this site: Several small sinkholes that have developed in the backfilled concrete rip-rap will be filled with angular gravel and the drain inlet will be lowered a small amount to ensure no drainage bypasses the inlet. The project site will be fenced to exclude cattle.

According to the project geotechnical engineer the concrete rip-rap at the lower site can be removed and the channel restored to a pre-construction condition. The channel restoration will be protected from erosion through flattening the flow line, placement of erosion control fabric and establishment of vegetation in the channel. A check dam immediately downstream of the project site will contain any sediment movement which occurs during the first winter after restoration and thereafter. The restored channel area will be fenced to exclude cattle. A road crossing culvert immediately upstream of the channel restoration will be improved with inlet and outlet protection to prevent erosion and dissipate energy of winter flows before reaching the restoration site.

The project geotechnical engineer would supervise the beginning of the work to remove the concrete rubble and construct the check dam at the lower site and fill the sink holes and fix the drainage at the upper site. The project geotechnical engineer will complete a final inspection to ensure the geotechnical aspects of the restoration have been complete properly.

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

The Department of Public Works Drainage Section staff has reviewed the remediation plan and has not commented on any potential concerns. The project site is located on a rural agricultural parcel. There are no man-made storm water drainage systems that would be affected by the project. The project includes measure to prevent sedimentation of downstream water resources.

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

No new impervious surfaces are proposed as part of the project, thus there will be no additional storm water runoff that could contribute to flooding or erosion.

10. Otherwise substantially degrade water supply or quality?				X

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		

Greening Associates in 2001 completed a Biological Survey for the two project sites (Attachment 5). This report in February 2002 was reviewed and accepted by the Planning Department Environmental Section (Attachment 4). The project biologist has reviewed the project plans a number of times and prepared a series of letters regarding the project impacts and mitigation measures (Attachment 5). Wildlife resources that may occur on or in the vicinity of the project site include California re-legged frog, Ohlone tiger beetle and Burrowing owl. The project sites do not support breeding habitat for CRF, a federally listed threatened species, but CRF may occur on the project sites during dispersal from nearby breeding habitats during the wet season.

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

OTBs were observed at the upper site during the 2001 Biological Survey prior to their listing a federally endangered species. Most of the year OTB larvae are underground with beetles active above ground only during approximately February through April. Burrowing owls may use the grasslands on the site as winter denning habitat. The project biologist has concluded that the remaining remediation work could proceed without adverse impact on special status wildlife species provided that the work takes place during the dry season (May 1 to first rains) and site disturbance is minimized. At the upper site, for example, the remaining work would require only transporting gravel on one surface track to the sink hole sites and digging around the drain pipe inlet to lower it. During the dry season, neither of these activities would affect red-legged frogs, tiger beetles or burrowing owls. Because impacts to special status species will be avoid with implementation of project mitigation measures additional permits from the U. S. Fish and Wildlife Service and Department of Fish and Game are not required.

A number of special status plant species occur in the two project sites. During the dry season they all occur as seed or are dormant. Therefore, provided that the remaining work at the upper and lower fill sites is completed during the dry season and with minimal site disturbance, as described above, impacts to special status plant species would be avoided.

Proposed mitigation for potential impacts on special status wildlife and plant species that occur in the two project sites also includes the recordation of a Declaration of Restriction on the property deed. The document will delineate the two project sites and describe the potential impacts and mitigation measures imposed with this project to protect the sensitive habitat. Maps of the project sites prepared by the project biologist are attached (Attachment 5). The declaration would require fencing of the two project sites as follows: 1) Maintenance of the existing fence to exclude cattle from the upper fill site or reduction of the fenced area to encompass just the area delineated by area C1 on the map; 2) Installation and maintenance of a fence to encompass the channel banks at the lower project site between the road crossing culvert and the check dam delineated by area A1 on the map.

2.	Have an adverse effect on a sensitive *biotic community (riparian corridor),* wetland, native grassland, special *forests, intertidal zone, etc.)*?	____	____	X	____

The area of the lower channel impacted by the concrete rip-rap is approximately 3,000 square feet. The area of the upper channel impacted by the concrete rip-rap is approximately 2,000 square feet. The lower site will be restored. The former channel area at the upper project site, while a wet area, was also an actively eroding gully delivering excessive amounts of sediment to downstream riparian resources. The active gully erosion at the upper site has been remediated with the placement of concrete rip-rap covered with soil and gravel, installation of a drainage system, and revegetation.

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

The project, as conditioned, would include additional restoration of wetland area in the swale above the lower project site, which would offset the wetland area filled in as a result of the gully repair at the upper site. The rock that was placed in the series of pools would be removed with hand labor and a small loader. The project biologist would supervise the initiation of construction and complete a final inspection to ensure the area has been properly restored. A final report will be submitted to the Planning Department.

The lower project site will be fenced from the road crossing culvert to the check dam to exclude cattle trampling the channel area adjacent to the corrals. The restored channel area immediately upstream of the road crossing at the lower project site need not be fenced to maintain the grazing regime, which provides a benefit to sensitive plant species. The upper channel project site will also be fenced to exclude cattle from the gully repair area. The project will result in adequate mitigation for all potential impacts on plant and wildlife species and wetland areas of the two project sites.

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. The gully repair at the upper project site and the check dam and road crossing improvements at the lower project site will reduce erosion and sedimentation of downstream aquatic habitat.

4. Produce nighttime lighting that will illuminate animal habitats?	____	____	____	X

No night-time lighting is proposed for the project area.

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.

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

The project will not conflict with any local policies or ordinances. With implementation of all proposed mitigation measures the project would be in compliance with the Sensitive Habitat Protection Ordinance.

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

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 not adjacent to land designated as Timber Resources.

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 currently being used for agriculture and a very small portion of the area proposed for remediation may be fenced off from grazing cattle. However, project impacts on grazing and/ or other agricultural uses on site would be *de minimus*.

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

	Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
4. Have a substantial effect on the potential use, extraction, or depletion of a natural resource (i.e., minerals or energy resources)?				X

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

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

The south border of the subject parcel is along the Highway 1 County designated scenic resource area. However, the proposed project areas within the parcel are outside of the mapped Scenic Resources area, and are not in the public viewshed.

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 ridgeline?			X	

The existing visual setting is coastal terrace cattle grazing land. The proposed project is designed to restore two existing drainage swale areas to fit into this setting.

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

No night lighting is proposed; therefore, the project will not create any increase in night lighting.

	Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
5. Destroy, cover, or modify any unique geologic or physical feature?	____	____	X	____

The proposed remediation project will serve to restore two drainage swale areas to a more natural function and appearance. *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

There are no existing structures on the property designated as a historic resource 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	____

The project would include ground disturbance and the property is located in a mapped Archaeological Sensitive Areas. However, the specific project includes a gully repair and restoration of an active intermittent stream channel. The ground disturbing activities in this case occurring in previously eroded areas would have no potential to impact archeological resources. Therefore, no archaeological site survey is needed at this time. Pursuant to County Code Section 16.40.040, if at any time in the preparation for or process of excavating or otherwise disturbing the ground, any human remains of any age, or any artifact or other evidence of a Native American cultural site which reasonably appears to exceed 100 years of age are discovered, the responsible persons shall immediately cease and desist from all further site excavation and comply with the notification procedures given in County Code Chapter 16.40.040.

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

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

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

There are no mapped paleontological resources on the subject parcel.

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
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 list of hazardous sites in Santa Cruz County compiled pursuant to the specified code.

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
4.	Expose people to electro-magnetic fields associated with electrical transmission lines?	____	____	____	X
5.	Create a potential fire hazard?	____	____	X	____

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

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

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	____

There will be no impact because no additional traffic will be generated.

2.	Cause an increase in parking demand that cannot be accommodated by existing parking facilities?	____	____	____	X

The project will create no new demands for parking on site.

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

The proposed project is not accessible 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

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

During remediation activities, the project may create a small increase in the existing noise environment. However, this increase 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 L_{eq} during the day and 45 L_{eq} during the nighttime. While remediation activities may result in a temporary small increase in noise levels at the project site, there will be no sensitive receptors nearby, due to the large parcel size.

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 remediation activities will not increase the ambient noise levels for adjoining areas, due to the large size of the subject parcel.

J. Air Quality				
Does the project have the potential to:				
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 are ozone precursors (Volatile Organic Compounds [VOCs], nitrogen oxides [NOx]), and dust. Given the modest amount of new traffic that will be generated by the project during remediation activities, 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.

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

Standard dust control best management practices, such as periodic watering, will be implemented during remediation activities if needed to reduce impacts to a less than significant level.

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

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

	Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
e. Other public facilities; including the maintenance of roads?			X	
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
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
4. Cause a violation of wastewater treatment standards of the Regional Water Quality Control Board?				X
5. Create a situation in which water supplies are inadequate to serve the project or provide fire protection?				X
6. Result in inadequate access for fire protection?			X	

Road access to the project site meets County standards and has been approved by the local fire agency or California Department of Forestry, as appropriate.

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

The project will require the off-site disposal of a quantity of concrete rubble. However, this contribution to regional landfill capacity will be small and will be of similar magnitude to that created by existing land uses around the project.

	Significant Or Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Or No Impact	Not Applicable
8. Result in a breach of federal, state, and local statutes and regulations related to solid waste management?			X	

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.

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.

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

M. Non-Local Approvals

Does the project require approval of federal, state, or regional agencies? Yes ____ No x

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 that will cause substantial adverse effects on human beings, either directly or indirectly? Yes ____ No x

TECHNICAL REVIEW CHECKLIST

	REQUIRED	COMPLETED*	N/A
Agricultural Policy Advisory Commission (APAC) Review			
Archaeological Review			
Biotic Report/Assessment	x	X	
Geologic Hazards Assessment (GHA)			
Geologic Report			
Geotechnical (Soils) Report	x	x	
Riparian Pre-Site			
Septic Lot Check			
Other:			

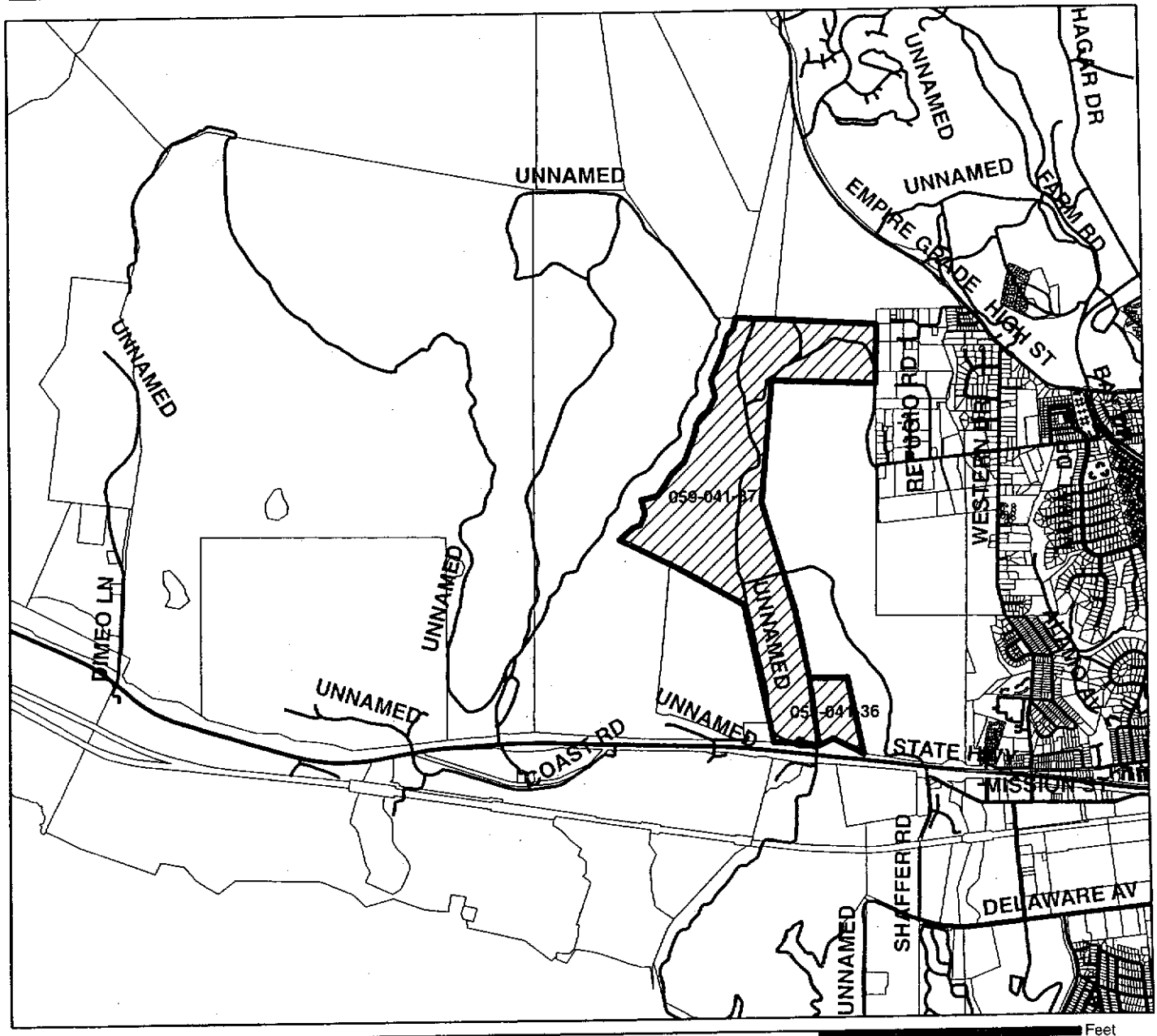
Attachments:

1. Vicinity Map, Zoning Map and General Plan Designation Map
2. Project Plans
3. Geotechnical Review Letters prepared by Haro, Kasunich and Assoc., dated August 3, 2007, September 28, 2007, May 15, 2008.
4. Biotic Report Review Letter prepared by Planning Department, dated February 5, 2002
5. Letters from Project Biologist dated August 22, 2007, February 15, 2008, May 2, 2008. Biotic Report prepared by Greening Associates, dated July 2001 on file with Planning Department.

Other technical reports or information sources used in preparation of this Initial Study

Historical Photos

Location Map



LEGEND

- APN: 059-041-37
- APN: 059-041-36
- Assessors Parcels
- Streets
- State Highways

Environmental Review Inital Study
ATTACHMENT 1 1 of 3
APPLICATION 07-0612

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Map Created by
County of Santa Cruz
Planning Department
July 2008

Zoning Map

0 1,150 2,300 4,600 6,900 9,200 Feet

LEGEND

- APN: 059-041-18
- Assessors Parcels
- Streets
- State Highways

STREAMTYPE

- PERENNIAL
- INTERMITTENT
- AGRICULTURE COMMERCIAL
- SPECIAL USE
- PARK

Environmental Review Inital Study
ATTACHMENT 1 2 of 3
APPLICATION 07-0617

N W E S

Map created by
County of Santa Cruz
Planning Department
August 2007

General Plan Designation Map

LEGEND

- APN: 059-041-18
- Assessors Parcels
- Streets
- State Highways

STREAMTYPE

- PERENNIAL
- INTERMITTENT
- Agriculture
- Residential-Suburban
- Residential-Mountain
- Parks and Recreation

Environmental Review Inital Study
ATTACHMENT 4.3.4.3
APPLICATION 07-0617

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Map created by
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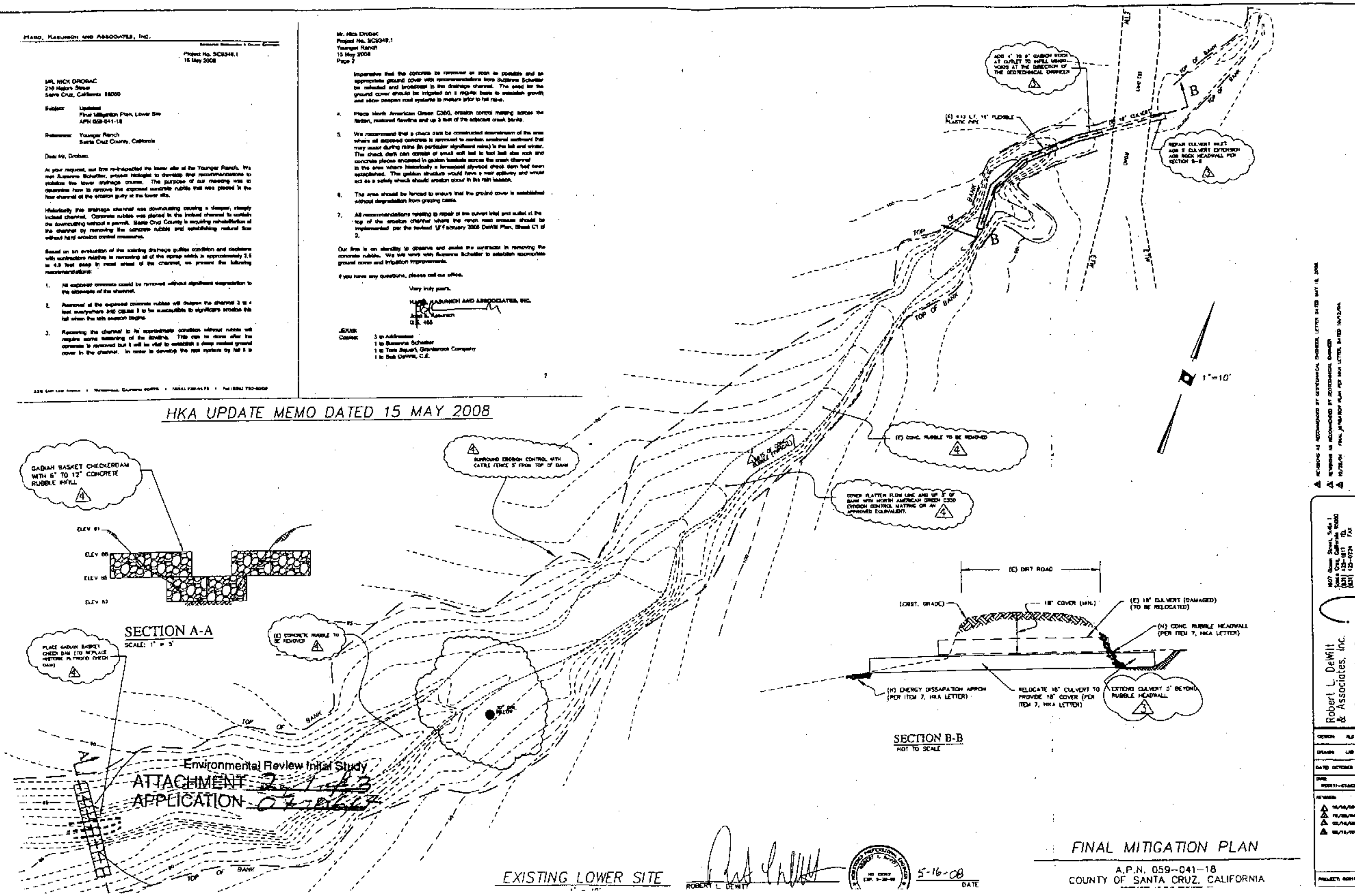
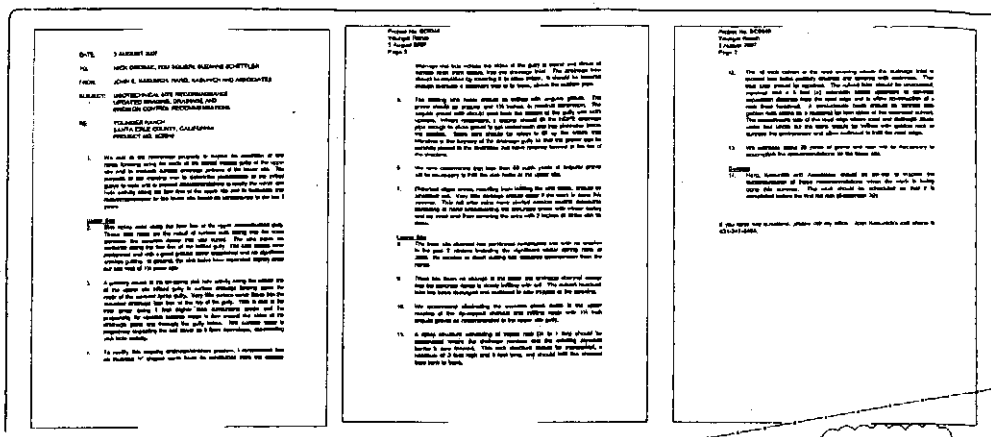
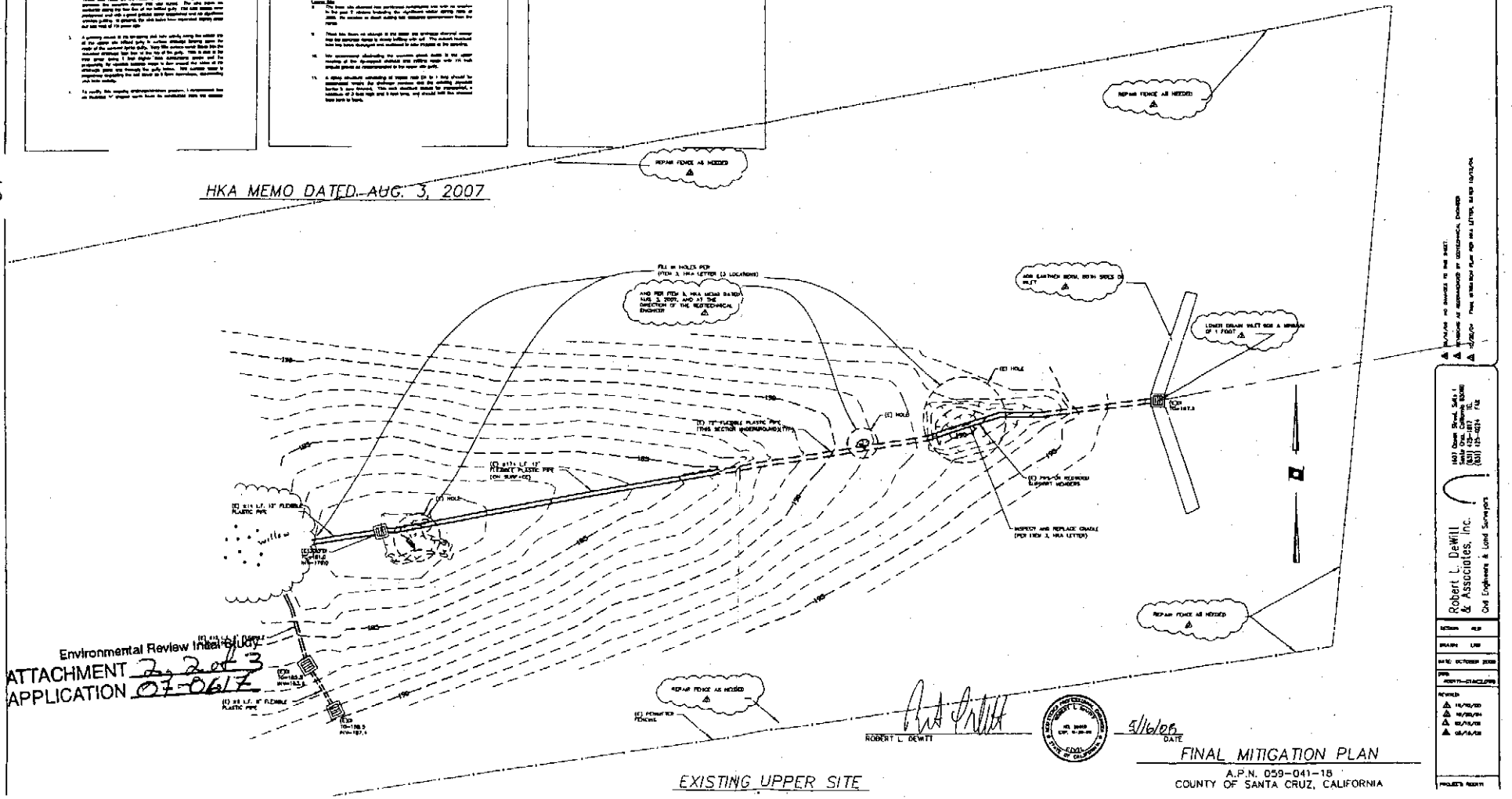
Planning Department
August 2007


HARO, KASUNICH AND ASSOCIATES, INC.
Project No. SC9348.1
15 May 2008
MR. NICK DROBAC
Subject: Updated
Final Mitigation Plan, Lower Site
APN 059-041-18
Reference: Younger Ranch
Santa Cruz County, California
Dear Mr. Drobac:
Mr. Nick Drobac
Younger Ranch
15 May 2008
Page 2
If you have any questions, please call our office.
Very truly yours,
HARO, KASUNICH AND ASSOCIATES, INC.
Copies:
1 to Bob DeWitt, C.E.
HKA UPDATE MEMO DATED 15 MAY 2008
GABIAN BASKET CHECKERDAM WITH 6" TO 12" CONCRETE RUBBLE INFILL
SECTION A-A
SCALE: 1" = 5'
PLACE GABIAN BASKET CHECK DAM (TO REPLACE HISTORIC PLYWOOD CHECK DAM)
(E) CONCRETE RUBBLE TO BE REMOVED
SURROUND EROSION CONTROL WITH CATTLE FENCE 5' FROM TOP OF BANK
(E) CONC. RUBBLE TO BE REMOVED
TOP OF BANK
ADD 4" TO 8" GABION ROCK AT OUTLET TO INFILL VOIDS AT THE DIRECTION OF THE GEOTECHNICAL ENGINEER
(E) 113 L.F. 18" FLEXIBLE PLASTIC PIPE
REPAIR CULVERT INLET ADD 5' CULVERT EXTENSION ADD ROCK HEADWALL PER SECTION B-B
1"=10'
(E) DIRT ROAD
(EXIST. GRADE)
18" COVER (MIN.)
(E) 18" CULVERT (DAMAGED) (TO BE RELOCATED)
(N) CONC. RUBBLE HEADWALL (PER ITEM 7, HKA LETTER)
(N) ENERGY DISSAPATION APRON (PER ITEM 7, HKA LETTER)
RELOCATE 18" CULVERT TO PROVIDE 18" COVER (PER ITEM 7, HKA LETTER)
EXTEND CULVERT 5' BEYOND RUBBLE HEADWALL
SECTION B-B
NOT TO SCALE
Environmental Review Initial Study
ATTACHMENT
APPLICATION
EXISTING LOWER SITE
ROBERT L. DEWITT
5-16-08
DATE
FINAL MITIGATION PLAN
A.P.N. 059-041-18
COUNTY OF SANTA CRUZ, CALIFORNIA
Robert L. DeWitt & Associates, Inc.
Civil Engineers & Land Surveyors



HKA MEMO DATED AUG. 3, 2007



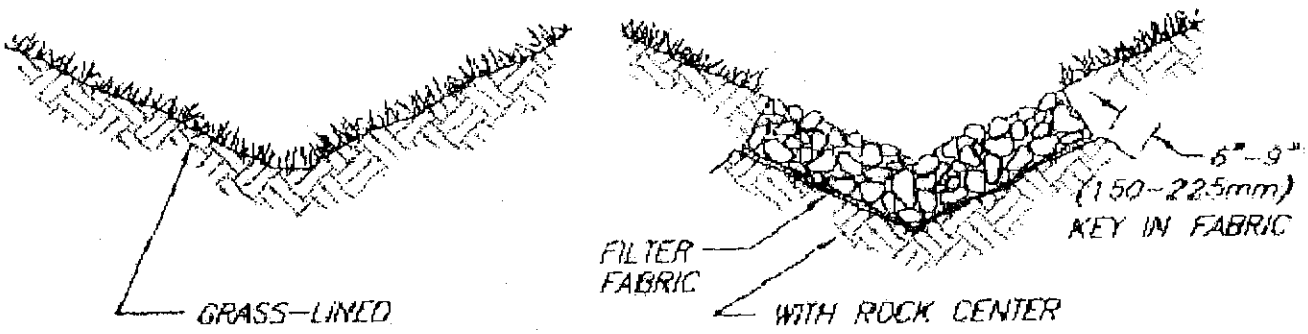
Environmental Review Initial Study
ATTACHMENT 2, 2 of 3
APPLICATION 07-0617

ROBERT L. DEWITT

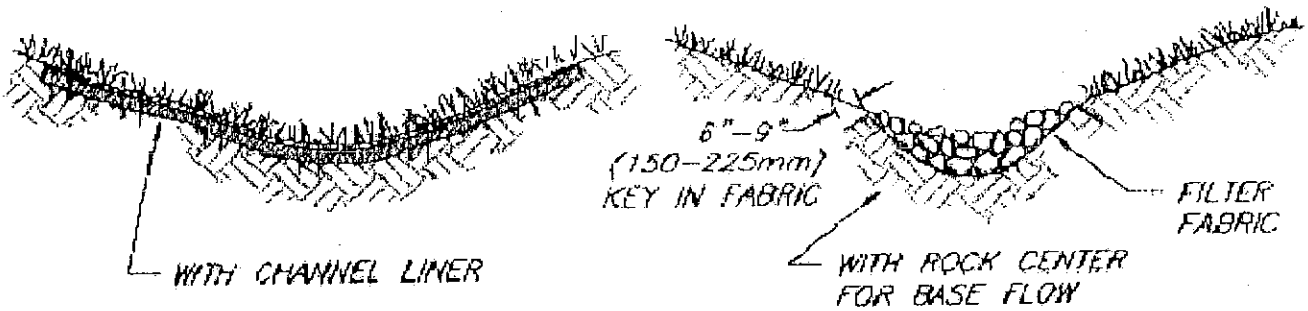
5/16/08
DATE

FINAL MITIGATION PLAN
A.P.N. 059-041-18
COUNTY OF SANTA CRUZ, CALIFORNIA

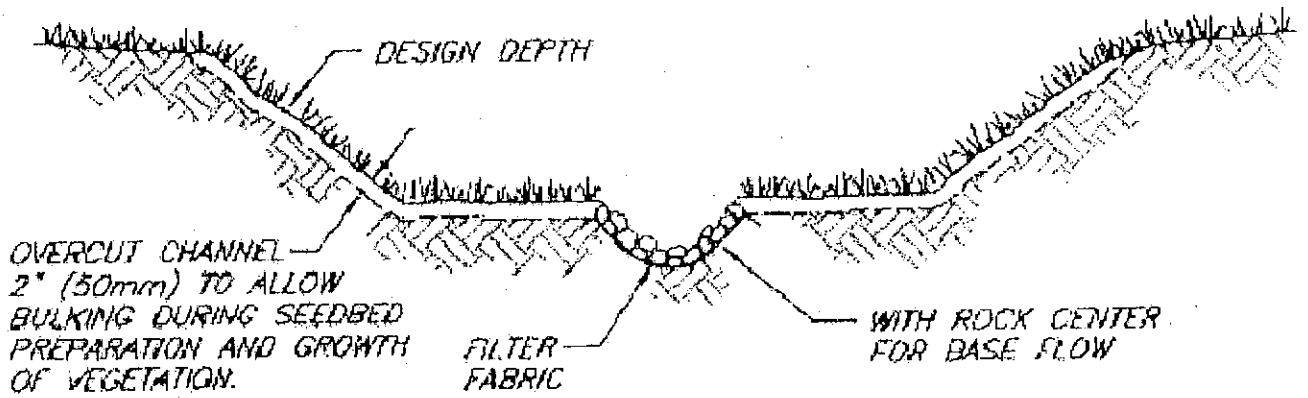
Robert L. DeWitt & Associates, Inc.
Civil Engineers & Land Surveyors



TYPICAL V-SHAPED CHANNEL CROSS-SECTION



TYPICAL PARABOLIC CHANNEL CROSS-SECTION



TYPICAL TRAPEZOIDAL CHANNEL CROSS-SECTION

GRASS-LINED CHANNEL TYPICAL CROSS SECTIONS

Lower Repair Site

HARO, KASUNICH AND ASSOCIATES, INC.

CONSULTING GEOTECHNICAL & COASTAL ENGINEERS

Project No. SC9349.1
15 May 2008

MR. NICK DROBAC
218 Majors Street
Santa Cruz, California 95060

Subject: Updated
Final Mitigation Plan, Lower Site
APN 059-041-18

Reference: Younger Ranch
Santa Cruz County, California

Dear Mr. Drobac:

At your request, our firm re-inspected the lower site at the Younger Ranch. We met Suzanne Schettler, project biologist to develop final recommendations to stabilize the lower drainage course. The purpose of our meeting was to determine how to remove the exposed concrete rubble that was placed in the flow channel of the erosion gully at the lower site.

Historically this drainage channel was downcutting causing a deeper, steeply incised channel. Concrete rubble was placed in the incised channel to contain the downcutting without a permit. Santa Cruz County is requiring rehabilitation of the channel by removing the concrete rubble and establishing natural flow without hard erosion control measures.

Based on an evaluation of the existing drainage gullies condition and decisions with contractors relative to removing all of the riprap which is approximately 2.5 to 4.5 feet deep in most areas of the channel, we present the following recommendations:

1. All exposed concrete could be removed without significant degradation to the sidewalls of the channel.

2. Removal of the exposed concrete rubble will deepen the channel 3 to 4 feet everywhere and cause it to be susceptible to significant erosion this fall when the rain season begins.

3. Restoring the channel to its approximate condition without rubble will require some flattening of the flowline. This can be done after the concrete is removed but it will be vital to establish a deep rooted ground cover in the channel. In order to develop the root system by fall it is

Environmental Review Inital Study
ATTACHMENT 3, 1 of 7
APPLICATION 07-0617

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imperative that the concrete be removed as soon as possible and an appropriate ground cover with recommendations from Suzanne Schettler be selected and broadcast in the drainage channel. The seed for the ground cover should be irrigated on a regular basis to establish growth and allow deepen root systems to mature prior to fall rains.

4. Place North American Green C350, erosion control matting across the flatten, restored flowline and up 3 feet of the adjacent creek banks.

5. We recommend that a check dam be constructed downstream of the area where all exposed concrete is removed to contain erosional sediment that may occur during rains (in particular significant rains) in the fall and winter. The check dam can consist of small soft ball to foot ball size rock and concrete pieces encased in gabion baskets across the creek channel in the area where historically a fencepost plywood check dam had been established. The gabion structure would have a weir spillway and would act as a safety check should erosion occur in the rain season.

6. The area should be fenced to ensure that the ground cover is established without degradation from grazing cattle.

7. All recommendations relating to repair of the culvert inlet and outlet at the top of the erosion channel where the ranch road crosses should be implemented per the revised 15 February 2008 DeWitt Plan, Sheet C1 of 2.

Our firm is on standby to observe and assist the contractor in removing the concrete rubble. We will work with Suzanne Schettler to establish appropriate ground cover and irrigation improvements.

If you have any questions, please call our office.

Very truly yours,

HARO, KASUNICH AND ASSOCIATES, INC.

John E. Kasunich
G.E. 455

JEK/dk
Copies: 3 to Addressee
1 to Suzanne Schettler
1 to Tom Squeri, Graniterock Company
1 to Bob DeWitt, C.E.

Environmental Review Inital Study
ATTACHMENT 3, 2 of 7
APPLICATION 07-0617

DATE: 3 AUGUST 2007

TO: NICK DROBAC, TOM SQUERI, SUZANNE SCHETTLER

FROM: JOHN E. KASUNICH, HARO, KASUNICH AND ASSOCIATES

SUBJECT: GEOTECHNICAL SITE RECONNAISSANCE
UPDATED GRADING, DRAINAGE AND
EROSION CONTROL RECOMMENDATIONS

RE: YOUNGER RANCH
SANTA CRUZ COUNTY, CALIFORNIA
PROJECT NO. SC9349

1. We met at the referenced property to inspect the condition of sink holes forming along the nadir of the infilled erosion gully at the upper site and to evaluate surface drainage patterns at the lower site. The purpose of our meeting was to determine performance of the infilled gullys to date and to present recommendations to rectify the minor sink hole activity along the flow line of the upper site and to formulate final recommendations for the lower site based on performance in the last 2 years.

Upper Site

2. Sink holes exist along the flow line of the upper reconstructed gully. These sink holes are the result of surface soils falling into the voids between the concrete riprap that was buried. The sink holes are centered along the flow line of the infilled gully. The side slopes have performed well with a good ground cover established and no significant erosion gulling. In general, the sink holes have expanded slightly since our site visit of 1½ years ago.

3. A primary cause of the on-going sink hole activity along the center line of the upper site infilled gully is surface drainage flowing down the nadir of the covered riprap gully. Very little surface water flows into the elevated drainage inlet box at the top of the gully. This is due to the inlet grate being 1 foot higher than surrounding grade and the propensity for upslope surface water to flow around the sides of the drainage grate and through the gully below. This surface water is negatively impacting the soil cover as it flows downslope, accelerating sink hole activity.

4. To rectify this ongoing drainage/sinkhole problem, I recommend that an inverted "v" shaped earth berm be constructed from the upslope

Environmental Review Inital Study
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drainage inlet box across the sides of the gully to corral and direct all surface water from above, into the drainage inlet. The drainage inlet should be modified by lowering it to allow inflow. It should be lowered enough to create a sediment trap at its base, above the outflow pipe.

5. The existing sink holes should be infilled with angular gravel. The gravel should be angular and 1½ inches, in nominal dimension. The angular gravel infill should start from the bottom of the gully and work upslope. Where necessary, a laborer should lift the HDPE drainage pipe enough to allow gravel to get underneath and into sinkholes below the pipeline. Extra care should be taken to lift up the willow tree branches at the keyway of the drainage gully so that the gravel can be carefully placed in the sinkholes that have recently formed at the toe of the structure.

6. We have determined that less than 50 cubic yards of angular gravel will be necessary to infill the sink holes at the upper site.

7. Disturbed slope areas, resulting from infilling the sink holes, should be smoothed out. Very little damage should occur if the work is done this summer. This fall after rains have started erosion control measures consisting of hand broadcasting the disturbed areas with winter barley and oat seed and then covering the area with 2 inches of straw can be done.

Lower Site

8. The lower site channel has performed remarkably well with no erosion in the past 2 winters including the significant winter spring rains of 2006. No erosion or down cutting has occurred downstream from the riprap.

9. There has been no change to the lower site drainage channel except that the concrete riprap is slowly infilling with soil. The culvert headwall inlet has been damaged and sediment is now trapped at the opening.

10. We recommend eliminating the cascade check dams in the upper reaches of the rip-rapped channel and infilling voids with 1½ inch angular gravel as recommended in the upper site gully.

11. A riprap structure consisting of import rock (½ to 1 ton) should be constructed where the drainage narrows and the existing plywood barrier is now located. This rock structure should be trapezoidal, a minimum of 3 feet high and 6 feet long, and should infill the channel from bank to bank.

12. The 18 inch culvert at the road crossing where the drainage inlet is located has been partially crushed and covered with sediment. This inlet area should be repaired. The culvert inlet should be uncovered, repaired and a 5 foot (±) extension added upstream to develop separation distance from the road edge and to allow construction of a rock lined headwall. A semi-circular basin should be formed with gabion rock acting as a headwall on both sides of the extended culvert. The downstream side of the road edge where road and drainage swale water has under cut the bank should be infilled with gabion rock to buttress the environment and allow sediment to infill the road edge.

13. We estimate about 20 yards of gravel and rock will be necessary to accomplish the recommendations for the lower site.

General

14. Haro, Kasunich and Associates should be on-site to inspect the implementation of these recommendations when the work is being done this summer. The work should be scheduled so that it is completed before the first fall rain (September 30).

If you have any questions, please call my office. John Kasunich's cell phone is 831-247-5466.

Environmental Review Inital Study
ATTACHMENT 3. 5 of 7
APPLICATION 07-0617

Project No. SC9349.1
28 September 2007

MR. NICK DROBAC
218 Majors Street
Santa Cruz, California 95060

Subject: Updated Plan Review of Revised
Final Mitigation Plan, Upper and Lower Sites
For APN 059-041-18
By Robert L. DeWitt and Associates
Plan Date Revision 10-20-04

Reference: Younger Ranch
Santa Cruz County, California

Dear Mr. Drobac:

At your request, our firm re-inspected the upper and lower sites at the Younger Ranch, portrayed in the reference civil engineering plans by Bob DeWitt. We also interacted with Graniterock/Pavex and with Suzanne Schettler, project biologist to discuss the performance of the improvements and to develop final recommendations to stabilize both drainage courses. Our memo of 3 August 2007 describes the condition of the upper and lower drainage sites and indicates the original implementation of improvements has performed well over time. The memo included additional recommendations to rectify minor problems that were noticed in the 2.5 years since our last inspection.

A review of the 20 October 2004 revised plan for the Upper and Lower Sites by Robert L. DeWitt and Associates indicate that the recommendations of our recent memo, in general conform to the notes and requirements of the plan. Sheets C1 of 2 presents the lower drainage site. Most recommendations on the plan are still valid. Two variations to the plan have been recommended in our August memo. One is to substitute the lower gabion rock drainage fence with a trapezoidal rock revetment in the same location, for the same purpose. The second is to extend the upper culvert where it crosses under the access road, upstream 5 additional feet, to prevent ranch traffic from damaging the inlet. These two minor changes will be implemented by Graniterock/Pavex and inspected during construction by our firm.

Sheets C2 of 2, the upper drainage site has one additional recommendation. To ensure that the storm water catch basin at the top of the drainage collects surface runoff from above, Graniterock/Pavex will build a V-shape berm directing

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ATTACHMENT 3, 6 of 7
APPLICATION 07-0617

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pasture water to the catch basin. The existing basin will also be lowered to make sure accumulated surface water enters the drain inlet.

Based on our review of the revised 20 October 2004 plans and our August 2007 memo, it is our opinion the plans in general conform to the geotechnical recommendations presented by our firm.

If you have any questions, please call our office.

Very truly yours,

HARO, KASUNICH AND ASSOCIATES, INC.

John E. Kasunich
G.E. 455

REGISTERED PROFESSIONAL ENGINEER
JOHN E. KASUNICH
No. 455
Exp. 6/08
GEOTECHNICAL
STATE OF CALIFORNIA

JEK/sq

Copies: 3 to Addressee
1 to Suzanne Schettler
1 to Bob DeWitt, C.E.
1 to Tom Squeri, Graniterock Company

Environmental Review Inital Study
ATTACHMENT 3, 7 of 7
APPLICATION 07-0617

COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT
701 OCEAN STREET, SUITE 310, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
ALVIN JAMES, DIRECTOR

February 5, 2002
mailed 2/19/02

Mr. N. Drobac for Helen Younger Goode
218 Majors Street
Santa Cruz, CA 95060

APN: 59-041-18
App #: 00-072

Dear Mr. Drobac:

Introduction:
The review of your biotic report ("Biological Survey of Two Gully Repair Sites, Younger Ranch", Greening Associates, July 6, 2001) has been completed. A copy of the review letter from our consultant is attached for your reference. The letter explains that the appropriate surveys for plants and animals were conducted during the appropriate times of year and that in general the reviewer concurs with the stated findings and recommendations. Specifically, he concurs with the recommendation that the fill be removed from the lower site and retained in the upper site. All correction activities recommended in the report shall be followed.

Note that the report is very well done, and has been accepted by the reviewer "in concept". This is because a full biotic approval cannot be given until information regarding the issue of wetlands is submitted. Specifically, a supplemental analysis is required to establish the amount of wetland that was removed, disrupted or replaced by fill in each of the fill areas. This quantification, necessary in order to quantify the amount of mitigation that is required, has not been done as part of the biotic report. Once the mitigation amount is quantified your biologist shall prepare a plan for restoring that amount of wetland on site or off site if no feasible area is available on the parcel. This information may be submitted with the applications that are detailed below.

Applications for Permits to Resolve The Violation(s):
In order to move forward into the permitting stage of the process that will resolve the violation(s) on the parcel several things must occur:

Environmental Review Inital Study
ATTACHMENT 4, 1 of 3
APPLICATION 07-0617

1. Please apply at the Z-ning Counter for "as built" coastal and g -ding permits, Riparian Exception and Envi ental Assessment (also known as CE(review) to cover the work that was done and for the mitigation/correction activities that are yet to be done. The grading plans produced for the erosion control work, once updated to accurately reflect the as-built condition, can be the basis for the grading permit on the upper site. Please generate a complete grading plan for the removal of the fill and restoration of the lower site, pursuant to the Greening Associates report. Additional reviews and/or applications may be required, this will be determined after the Coastal and Grading applications are submitted and evaluated for completeness;

2. The plans shall include a mitigation plan that clearly describes the mitigation activities, such as the regrading and restoration of the lower site and restoration of lost wetland area, identifies the sensitive habitats and appropriate "no disturbance" areas, specifies revegetation as needed, etc;

3. Submit a map prepared by your biologist that indicates the biotic "hot spots" identified in the report (Ohlone Tiger Beetle areas, the wildflower field, locations of sensitive species, etc.) so that appropriate protections and avoidance can be incorporated into your plans. The map shall be on an accurate, detailed base, and drawn to scale;

4. After plans are submitted to the Planning Department we will require comment from and/or consultation with the U.S. Fish and Wildlife Service and California Department of Fish and Game;

5. Quantification by the biologist of the amount of lost wetland and a plan to mitigate that loss.

Conditions Regarding Biotic Resources:
In order to comply with the Sensitive Habit Ordinance (Chapter 16.32) and the Santa Cruz County General Plan, conditions will be attached to the "as built" work and the proposed restoration. These conditions may include restrictions on future clearing and/or modification in sensitive areas, acknowledgements of the identified resources and restrictions on development in those areas to be recorded on the property deed, etc. These conditions will be prepared for you after the application for the coastal, grading, Riparain Exception and the accompanying mitigation plan are reviewed.

Conclusion:
I have included a list of required materials for making grading permit and coastal permit applications. Please contact the reception desk to make an appointment at the Zoning Counter (454-3252), and please call me if you have any questions about this letter.

Sincerely,

Paia Levine
Resource Planner

FOR: Ken Hart
Environmental Planning
Principal Planner

Environmental Review Inital Study
ATTACHMENT 4, 2 of 3
APPLICATION 07-0617

CC: David Carlson, North Coast Resource Planner
Richard Nieuwstad, Coastal Compliance
Thomas Squeri, Granite Rock Construction
Helen Younger Goode, Property Owner
Robert Goode, for Helen Goode

Environmental Review Inital Study
ATTACHMENT 4, 3 of 3
APPLICATION 07-0617

(ND

Greening associates

August 22, 2007

Mr. Matt Johnston
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060

RE: YOUNGER RANCH EROSION REPAIRS

Dear Mr. Johnston,

On June 29 I visited the Younger property just outside the Santa Cruz city limits with attorney Nick Drobac, Tom Squeri (Graniterock) and John Kasunich (Haro and Kasunich). We visited both the lower erosion site and the upper erosion site, and weighed the potential remedies for the existing red tag on the property. We agreed on the approach described by John Kasunich in his recent memo.

Subsequent to the site visit, I conferred with Bryan Mori, the wildlife biologist who evaluated special-status wildlife species that could potentially inhabit the lower and upper fill sites, or the drainages downstream of the fill sites. The wildlife findings are detailed on pages 21-24 of Greening Associates' July 2001 Biological Survey report and are summarized here.

There are at least 19 known occurrences of California Red-legged Frog (CRF, *Rana aurora draytonii*) within 5 miles of the project site; however, neither the lower nor the upper fill site supports breeding habitat for CRF. Given their widespread occurrence in the project vicinity, CRF may occur on occasion at the study sites, or downstream of the study sites, during dispersal from nearby breeding habitats. Such occurrences are possible during the rainy season.

At least 32 adults of Ohlone Tiger Beetle (OTB, *Cicindela ohlone*), an unusally high concentration, were observed at the upper fill site during the 2001 biological survey. This species was not listed at the time of the July 2001 report but was federally listed as Endangered on October 3, 2001. OTB adults are active mostly February to April, with the larvae below ground the rest of the year.

Burrowing Owls (*Speyotyto cunicularia*) have not been known to breed in Santa Cruz County since 1987, although up to wintering 14 individuals have been observed in past years, including one observation near the north boundary of the Younger property. The grasslands on the site may provide denning habitat for an occasional wintering owl.

Environmental Review Inital Study
ATTACHMENT 5, 1 of 13
APPLICATION 07-0617

P.O. Box 277 • 9491 Love Creek Road • Ben Lomond, CA 95005 • Fax (831) 336-4930 • Phone (831) 336-1745
California Landscape Contractor's License #552336

No other special-status wildlife issues were present on the site during the time of our survey in 2001. We conclude the proposed remediation work should create no impact to special-status wildlife species if:

a. additional site work to complete the erosion repair takes place between May 1 and the first rains; and if

b. the access footprint to the repair sites is kept to a minimum size (i.e., a single lane across the shortest route possible through grassland habitat from the existing ranch roads).

In addition to the special-status wildlife, 6 special-status plant species and a number of locally-rare or special-interest plant species were present in the two survey areas. All are either annuals (present during the dry season as seed) or are essentially dormant during the dry season. If the remedial work is conducted as described in (a) and (b) above, negative impacts to these species will be minimized or avoided entirely.

I hope this information is helpful to you in processing the permit application.

Sincerely,

Suzanne Schettler
Principal

REFERENCE

Greening Associates. July 6, 2001. Biological Survey, Two Gully Repair Sites, Younger Ranch, APN 059-041-18, Santa Cruz County, California.

cc: Nick Drobac
218 Majors Street
Santa Cruz, CA 95060

Environmental Review Inital Study
ATTACHMENT 5, 2 of 13
APPLICATION 07-0617

Greening associates

February 15, 2008

Mr. Nick Drobac
218 Majors Street
Santa Cruz, CA 95060

RE: YOUNGER RANCH

Dear Mr. Drobac,

This letter is in response to Alice Daly's letter of November 2, 2007, and specifically to the updates on page two by David Carlson. I will address each of the five items in order.

1.A. AMOUNT OF WETLAND REMOVED, DISRUPTED OR REPLACED BY FILL IN EACH OF THE FILL AREAS.

A review of historical aerial photographs and pre-project photos on the ground indicates that erosion at the two fill sites took place gradually or episodically over a period of at least years at the lower site, and over a period of decades at the upper site. Therefore, for purposes of this project, the wetland impact area is defined as the area of wetland that existed just prior to the placement of the fill material. It is not the whole area of the swales as they existed before surface erosion began.

Lower fill site: 3,000 square feet. At the lower site, the wetland area in late summer 2000 consisted of an eroded channel etched into a coastal terrace. The portion of this channel that was filled with concrete was 250' long with an average width of 12'. If the concrete fill remains in place, 3,000 sq. ft. of wetland area will remain impacted.

Upper fill site: 2,000 square feet. The wetland area at the upper site consisted of a shorter and deeper gully, with some seeps in the nearly-vertical banks which were actively eroding. Because erosion was actively causing soil to fall from the banks, they were devoid of vegetation; the three wetland indicators (wetland hydrology, wetland soils, and hydrophytic vegetation) were present, at maximum, only in the bottom of the gully. This area measured 200' long with an average width of 10'. If the concrete remains in place as currently anticipated, 2,000 sq. ft. area of wetland area will remain impacted.

A total of 5,000 square feet or 0.11 acre of wetland was thus impacted by placement of the Mission Street concrete in the lower and upper fill sites combined.

Environmental Review Inital Study
ATTACHMENT 5, 3 of 13
APPLICATION 07-0617

1.B. AMOUNT OF WETLANDS FILLED BETWEEN JULY 2002 AND JUNE 2007.

The July 2001 Biological Survey report identified a federal C1 candidate plant species growing in the broad, shallow drainage swale at the lower survey area, upstream of the ranch road intersection (Greening Associates 2001, page 13-14). This area was characterized by a series of step-pools (*Jbid.*, page 19) that provided some seasonal value to wildlife and cattle, although the biotic survey concluded that these pools did not support any special-status wildlife species.

Some time between July 2002 and June 2007, when consultants were asked to revisit the site and update their recommendations, the step-pools were filled with rock. The areas of rock fill are readily distinguished from the surrounding dark clay surface soil. I measured the area of the rock-filled pools on January 24, 2008, as follows.

WETLANDS FIILLED AT YOUNGER RANCH BETWEEN JULY 2002 AND JUNE 2007	
POOL IDENTIFICATION numbered from corral inland	AREA
1	562.5 sq. ft.
2	62.5 sq. ft.
3	200 sq. ft.
4	500 sq. ft.
5	843.75 sq. ft.
6	375 sq. ft.
7	1,750 sq. ft.
8	525 sq. ft.
	TOTAL 4,818.75 sq. ft. = 0.11 acre

This relatively recent fill doubles the area of wetland removed, disrupted, or replaced by emplacement of fill, bringing the total for the parcel to 0.22 acre. It also illustrates that the identification of biologically sensitive features may sometimes place them in jeopardy.

2. PLAN TO RESTORE WETLANDS ON SITE OR OFF SITE.

Lower fill site.

The current plans for the lower fill site do not restore the site to the conditions that existed before the concrete was filled in the channel, rather they bring the site up to accepted engineering standards. From upstream to downstream, the measures proposed include:

- extend the road culvert inlet and add a gabion rock headwall to stabilize the approach to the inlet
- add 1-1/2" gravel to fill minor voids
- remove the plywood check dam and install a trapezoidal rock revetment across the channel downstream from the concrete fill

SEE LETTER OF MAY 2

These improvements are illustrated on Robert L. DeWitt's plan sheet C1, updated 2/15/08. The work area and access route are identified on Figure 1, attached. I recommend against fencing the

Environmental Review Inital Study
ATTACHMENT 5, 4 of 13
APPLICATION 07-0617

lower fill site, so that cattle can gradually trample the banks into a smooth swale that will be more stable than the existing vertical banks.

In theory, a pond could be excavated to expand the wetland area at the lower site. However, that is not feasible because excavation would negatively impact the ground-dwelling Ohlone Tiger Beetle, a federally listed Endangered species.

Upper fill site.

There is general agreement that it is better to leave the concrete in the upper fill area than to re-create the deep gully that formerly existed there. Drainage improvements are planned to promote the stability of the upper fill site.

- lower the drainage inlet box at least one foot
- add an earthen berm to direct drainage to the culvert inlet
- place 1-1/2" gravel in voids at the direction of the soil engineer
- repair the fence to keep out cows

These improvements are illustrated on Robert L. DeWitt's plan sheet C2, updated 2/15/08. The work area and access route are identified on Figure 2, attached.

Wetlands filled between July 2002 and June 2007.

The 0.11 acre of wetlands filled since July 2002 can be restored in a straightforward manner. This will require removing the rock from the pools – by hand – and placing it in a small loader. The first four hours of this work should be directed by a qualified biologist. The rock will then be trucked off the property for disposal at a legal disposal site. The work area and access route are identified on the attached aerial photo. When the rock has been removed, the site will be inspected by the biologist to ensure that the rock fill was removed as cleanly as the concrete was previously removed from the staging area for the "upper fill site", and a letter report will be submitted to the county Planning Department.

3. PLAN FOR IMPROVEMENTS AT THE LOWER SITE

Please see Item 2 above and the DeWitt plan sheets for description of the planned improvements. Also see the attached aerial photo (Figure 1) for locations of the work area and access route.

4. MAP OF BIOTIC "HOT SPOTS"

The July 2001 biological survey pointed out that a federal C1 candidate plant species was growing in the drainage swale at the lower survey area, upstream of the road intersection. Subsequently, the wetter areas of the drainage swale were filled with rock. This is the kind of situation where it is more prudent to map the work areas and access routes than to map the biotic resources. Accordingly, Google maps, with scale bars, of the work areas and access areas are attached.

5. MITIGATION PLAN

The wetlands that were filled with rock after the July 2001 report was submitted can be restored as described above and the impact on 4,819 square feet of wetland will be reversed. If the concrete fill is left in place at the original "lower fill site" and "upper fill site", there remains a need to mitigate for the 5,000 square feet of wetland that was impacted as of 2001.

Under the California Environmental Quality Act, avoidance of negative impacts is preferable to mitigation. When mitigation is called for, highest priority is placed on in-kind and on-site mitigation, followed by in-kind and off-site mitigation. Out-of-kind and off-site mitigation is the third choice.

Mitigation in-kind and on-site could consist of digging a seasonal pond to expand the wetland area at the lower site, but is precluded because ground disturbance would involve take of the federally listed Ohlone Tiger Beetle. The property owner is not willing to place a conservation easement on any part of the property as an alternate method of achieving in-kind and on-site mitigation.

Mitigation in-kind and off-site could potentially consist of support for wetland improvements on land or easements owned by the Land Trust of Santa Cruz County, which has holdings in the vicinity of the Younger property. However, the Land Trust has been consulted and they have no suitable wetland mitigation site available.

Two mitigation banks operate in Santa Cruz County. The Pajaro River Mitigation Bank has created seasonal wetlands near the Santa Clara/San Benito county line to mitigate wetland impacts in the Pajaro River watershed. It has not been determined whether they would consider mitigation for in-kind impacts outside the watershed. That mitigation bank is operated by Wildlands, Inc., based in Rocklin.

Mitigation out-of-kind and off-site may available through the Zayante Sandhills Conservation Bank, managed by PCO LLC. The sandhills habitat is unlike the wetlands on the Younger property, but it is located in Santa Cruz County and, like the Younger property, it is home to federally listed plants and insects.

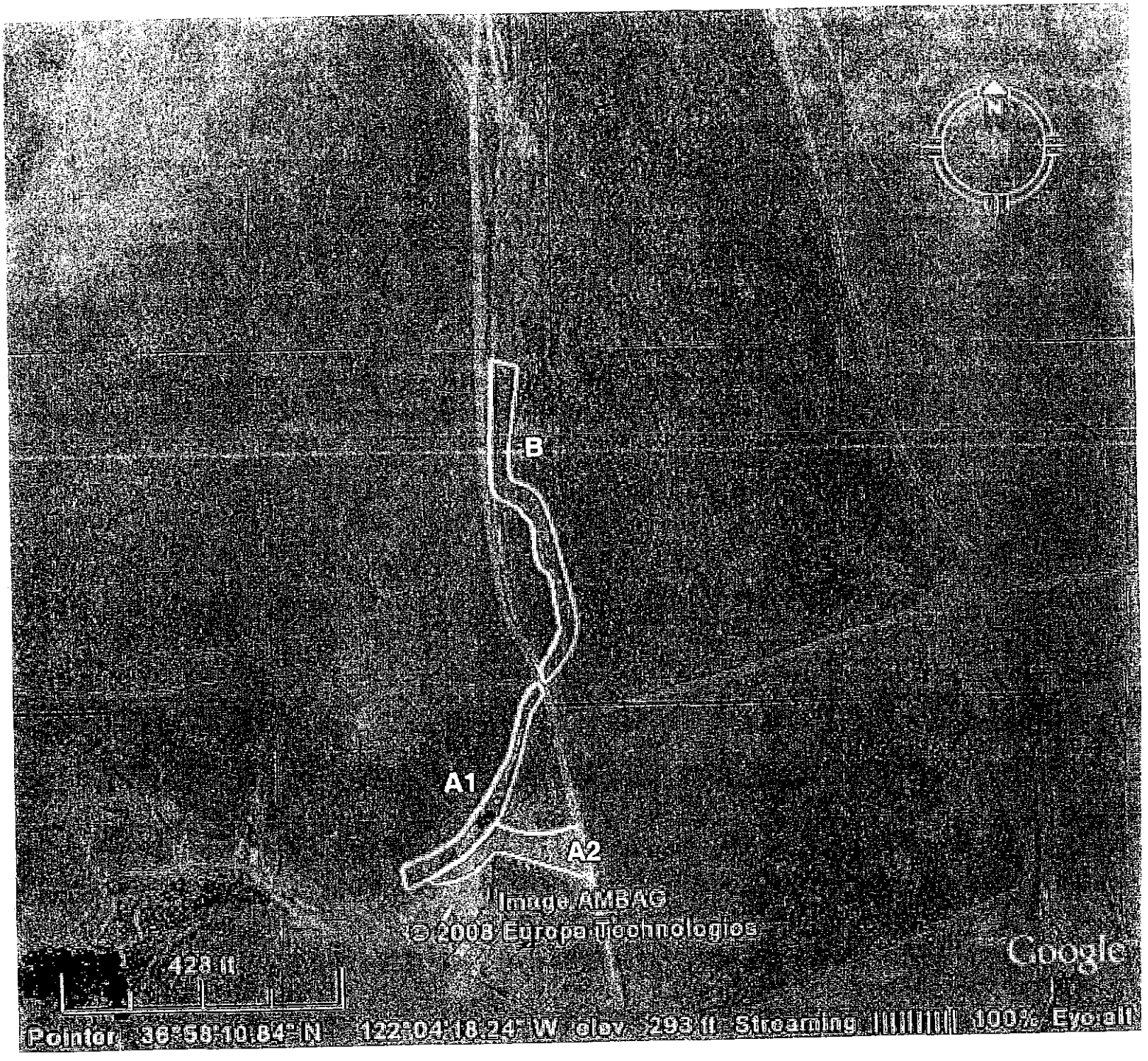
Mitigation options for impacted wetlands on the Younger property are extremely limited, but are being diligently pursued.

Sincerely,

Suzanne Schettler
Principal

cc: Tom Squeri, John Kasunich
enclosures: aerial photos showing work areas and access areas

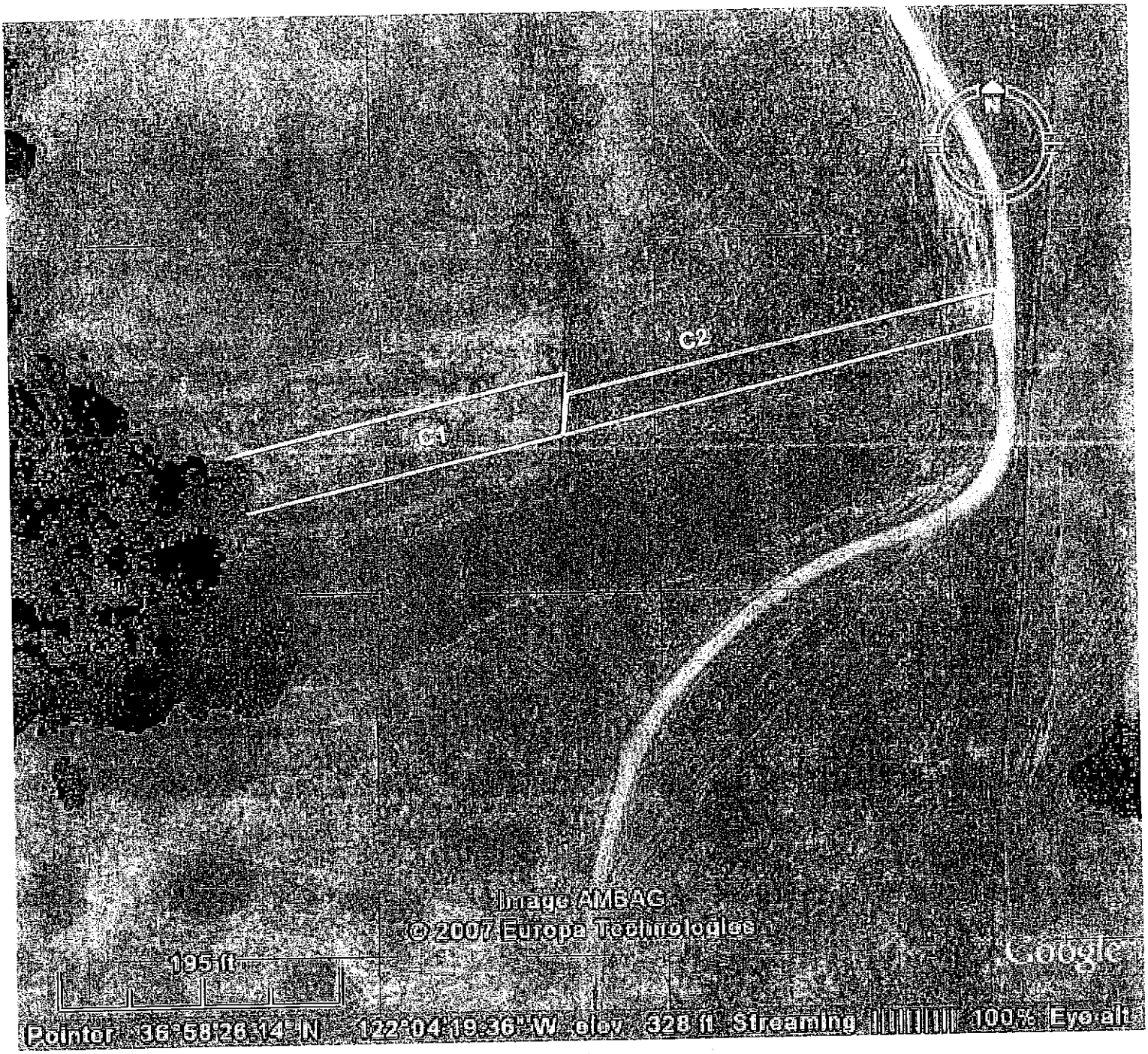
Figure 1



A1: Lower Fill Site _ Work Area
A2: Lower Fill Site _ Access Route
B: Post-2002 Rock Fill In Swale _ Access From Road

Environmental Review Inital Study
ATTACHMENT 5, 7 of 13
APPLICATION 07-0617

Figure 2



Environmental Review Inital Study
ATTACHMENT 5, 8 of 13
APPLICATION 07-0617

C1: Upper Fill Site _ Work Area
C2: Upper Fill Site _ Access Route

Greening associates

May 2, 2008

Nick Drobac
Attorney at Law
218 Majors Street
Santa Cruz, CA 95060

RE: YOUNGER PROPERTY
PLAN FOR RESTORATION AND ENHANCEMENT OF FILLED WETLANDS

Dear Mr. Drobac,

I was sorry you could not participate in much of the meeting at the Younger site on April 24 with Tony Riccabona (landscape contractor), John Kasunich (engineer), Bob Goode (son of the property owner), and me. This is a recap of the approach we discussed.

LOWER FILL SITE
The current plan is to remove the concrete from the lower fill site, round the channel banks, seed the site, plant willows, fence cattle off the repair area, and repair the culvert and install drainage improvements at the road crossing. This would put the lower fill site back to a functional facsimile of the way it was.

Figure 1 is a photograph taken by Bob Goode in 2000 before the concrete was deposited. It shows the lower site with rounded banks and a flat bottom, and this general configuration will be restored. The minimum amount of dirt will be moved to smoothe the jagged surfaces left by removal of the concrete.

A fairly surgical procedure will be used to remove the fill, using hand labor and the smallest piece of equipment that has the capacity to lift the pieces of concrete. A rubber-tracked mini-excavator with a thumb will feed the concrete pieces to a mid-size Kubota tractor. The tractor will ferry the concrete to nearby dump trucks for transport to the city dump. Laborers will load the smaller concrete pieces into the tractor by hand.

a. Below the Willow. We agreed that the rock revetment shown on the 2/15/08 revision of Sheet C1 should be slightly modified. A check dam of gabion baskets filled with football- to softball-size concrete pieces will be installed a short distance upstream of the location previously planned, at a location where the channel is broader. Water flow at a broad location will have less velocity and will drop more sediment to re-fill the area where scouring has occurred between the gabions and the willow. The strategy is to work with the natural stream dynamics and encourage deposition of sediment to create over time a broadened, flatter streambed resembling the original channel configuration. John Kasunich is preparing a new revision of Sheet C1 to reflect this gabion check dam. Six or more willows will be planted downstream from the existing willow tree. The site will be seeded with Cereal Barley (*Hordeum vulgare*) at 120 pounds per acre and California Barley (*Hordeum brachyantherum*) at 20 pounds per acre.

b. Above the Willow. It is interesting that the portion of the channel above the Willow has functioned the way we expect the proposed remedy downstream of the Willow to work. The roots of the old tree create a functional check dam or grade control. Upstream from the Willow, accumulated

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ATTACHMENT 5 9 of 13
APPLICATION 07-0717

sediment has buried an area of concrete fill and created a relatively broad, flat channel that appears to be stable. See the grassy flat area in Figure 3. We propose that the now-buried concrete in this grassy flat area remain, and that all the visible concrete upstream from the Willow be removed, along with other layers of concrete beneath it that may be exposed by removing the visible pieces of concrete. Eight or more willows will be planted above the existing tree. The site will be seeded with Cereal Barley (*Hordeum vulgare*) at 120 pounds per acre and California Barley (*Hordeum brachyantherum*) at 20 pounds per acre.

The drainage and culvert at the road crossing will be repaired according to the 2/15/08 revision of Sheet C1.

c. Success Criteria. A total of fourteen healthy willows in spring 2010 will constitute a successful planting of the lower fill site. The grading will be evaluated by the presence or absence of active erosion on the banks or channel bottom. The repaired drainage at the road crossing will be inspected during rain events to determine whether it is functioning as intended.

d. An Emergency Permit is Needed. I was a bit surprised when Bob Goode, whom I assume originally approved the disposal of the concrete on his mother's property, volunteered that the gully has grown deeper since the placement of the concrete. This bears out a 2001 prediction by Steve Singer, Certified Professional in Erosion and Sediment Control: hard material placed in a drainageway will deflect the water flow in multiple directions and exacerbate erosion. Since the concrete was emplaced, swirling water has "power washed" (Bob's apt description) the sides and bottom of the channel, which is now broader and deeper than it was when the concrete was deposited.

The work described above should be done during the dry season, and it is becoming apparent that greater damage will occur if the concrete removal is not done this summer. Rainfall during the last two winters has been low, and yet the concrete has caused accelerated erosion. If next winter is wet, the problem will be substantially larger. Approval to remove the concrete from the lower fill site should be obtained as soon as possible.

FILLED POOLS IN SWALE BETWEEN LOWER AND UPPER FILL SITES

Some time after 2002, seven low areas in the swale that parallels the ranch road were filled with mudstone (shale). These filled wetland areas total 4,418 square feet. The filled rock is in relatively small pieces.

At the time the concrete is removed from the lower site the mudstone that was used to fill the low spots in the swale beside the ranch road will also be removed. The fill material can be distinguished by its color and texture from the relatively rock-free natural soil beneath. Although it has been somewhat mixed by the trampling of cattle, it can be removed by hand-picking the larger pieces and raking and shoveling the smaller pieces. The rock will be ferried by tractor to dump trucks parked on the road, and then trucked offsite for disposal. The objective is to put the site back the way it was, and restore the swale and the former pools to functioning wetlands.

UPPER FILL SITE

There is general agreement that the concrete fill should remain in the upper fill site. Before the fill, it was a deep, actively eroding gully and it is not desirable to restore it to that condition. It differs from the lower fill site in that drainage is conveyed by a corrugated plastic pipe rather than through and around the concrete pieces, therefore it is more stable and can be improved by implementing the repairs shown on plan sheet C2.

There is no place on the property where wetlands can be created or expanded without potentially impacting the endangered Ohlone Tiger Beetle. Mitigation for the fill at the upper fill site will take place at the site itself. Willow cuttings will be installed between and alongside the pieces of concrete. The purpose of planting willows is twofold: to provide supplemental erosion control, and to enhance the wetland values of the site. All willows will be planted inside the internal fence that encloses the filled gully, not up the side slopes of the surrounding pasture.

The upper fill site will be photographed in late summer 2008 to identify relatively moist (greener) locations where willow cuttings will be planted. Willow cuttings will be installed low on the slopes where there are seeps, also in depressions in the soil surface and among patches of existing Rushes (*Juncus* spp.). Willow cuttings are planted in January when they are leafless. They will be installed in pilot holes and then the soil will be tamped around them to insure good soil contact.

The success of the willow planting will be evaluated when a dry season has passed and the plants have leafed out during the next spring; i.e., spring 2010. Success will consist of twelve willows being present in healthy condition. Extras should be planted to allow for some spots to be more successful than others.

SUPERVISION BY BIOLOGIST

The work described above will be supervised by a qualified biologist. The biologist will be present during the first two hours of work, as well as for one additional hour the first day and one hour each subsequent day. The approach Tony Riccabona came up with for removing the fill from the lower site and the swale beside the road is well suited to this sensitive site, and I anticipate that supervision will be something of a formality. In the unlikely event a problem develops, I anticipate you will be the judge of how to resolve it. I am willing to provide the site supervision or to defer to another qualified person of your choosing.

I hope this plan, combined with my note to you of April 24, will address the County's remaining Discretionary Items. I support your suggestion that restoration activities be initiated in the near future, with the red tag being released after an appropriate time period has demonstrated that the repairs are functioning properly.

Sincerely,

Suzanne Schettler
Principal

cc: John Kasunich
Tony Riccabona
Bob Goode

attachments: 3 photographs

Environmental Review Inital Study
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APPLICATION 07-0617

FIGURE 1. The lower fill site in 2000, looking downstream from the old willow. Soil has since eroded from the channel bed, therefore the repaired channel bottom will be lower than it was in 2000. The banks will be rounded and the channel bottom will be flat, as in this photograph.

FIGURE 2. The same site, May 1, 2008. Dashed lines indicate the previous elevation of the channel bottom.

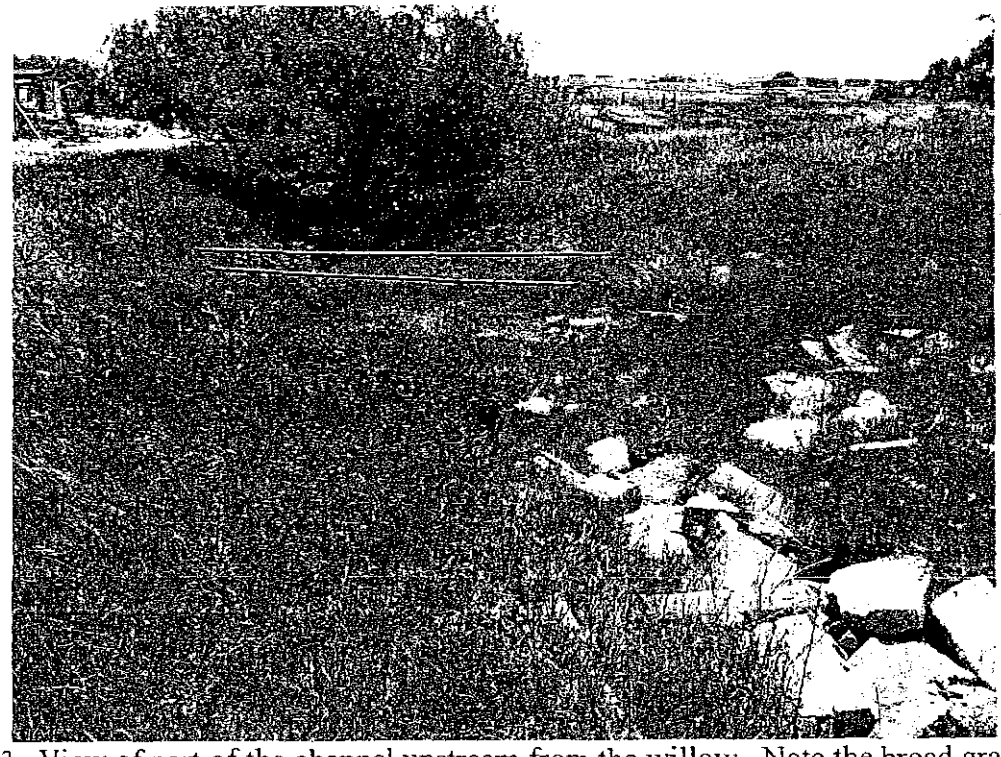
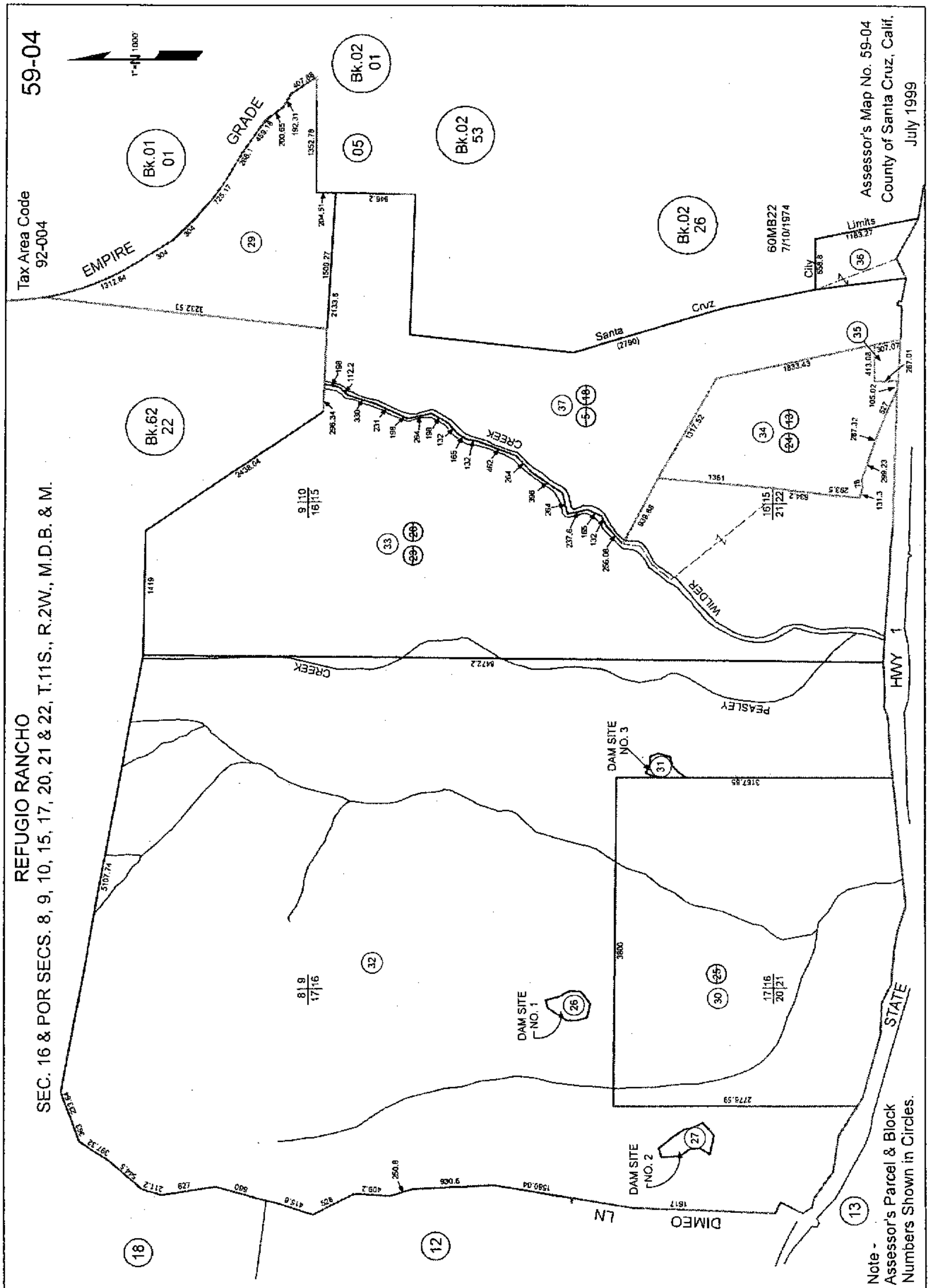


FIGURE 3. View of part of the channel upstream from the willow. Note the broad grassy flat area where the willow has captured sediment. The brown lump in the center of the picture is a remnant of the previous channel bottom.


REFUGIO RANCHO
SEC. 16 & POR SECS. 8, 9, 10, 15, 17, 20, 21 & 22, T.11S., R.2W., M.D.B. & M.
Tax Area Code
92-004
59-04
1"=1000'
FOR TAX PURPOSES ONLY
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EMPIRE
GRADE
Bk.01
01
Bk.62
22
Bk.02
01
Bk.02
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Bk.02
26
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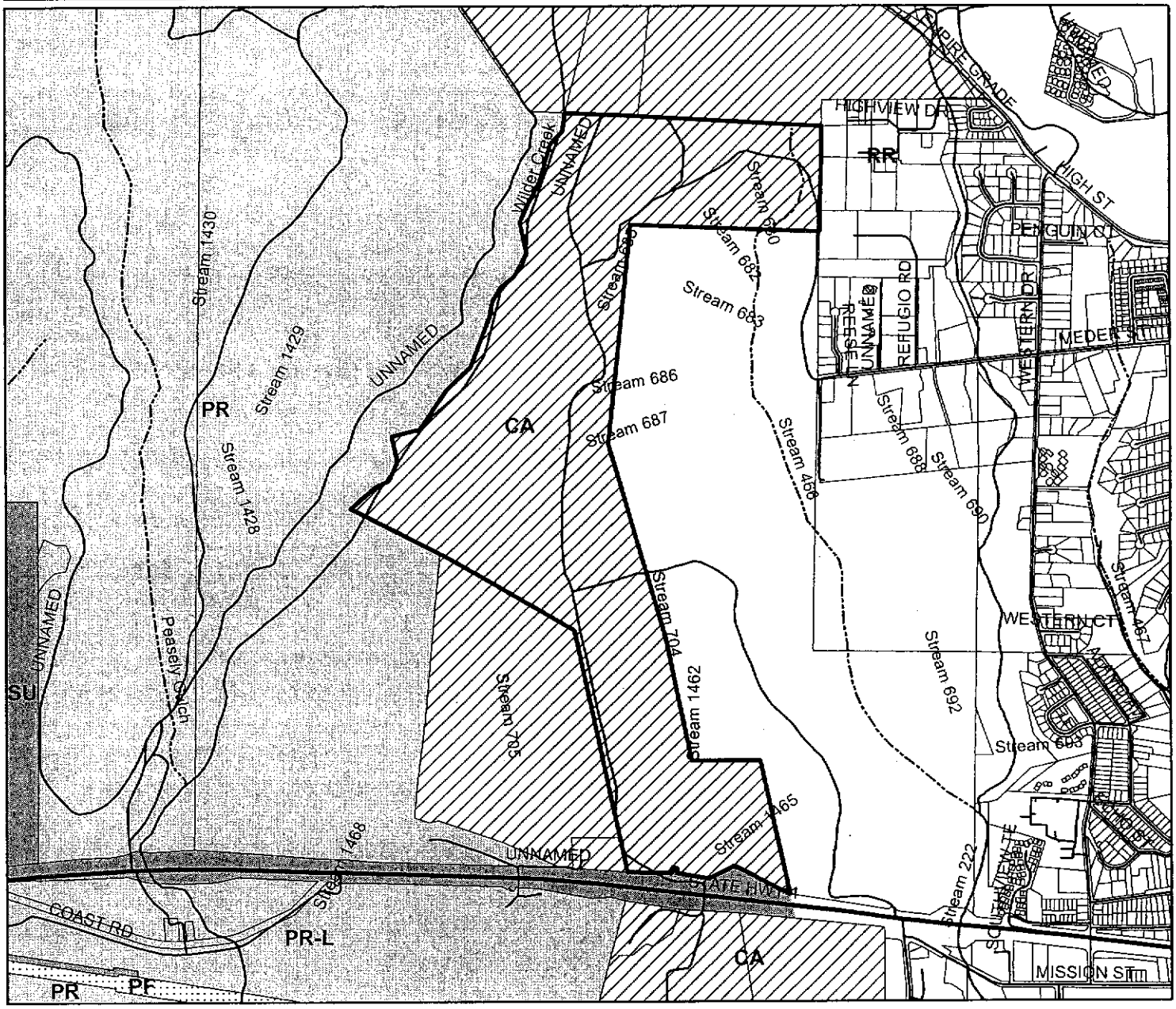
DAM SITE
NO. 1
DAM SITE
NO. 2
DAM SITE
NO. 3
WILDER
CREEK
PEASLEY
CREEK
Santa
(2790)
Cruz
City
Limits
60MB22
7/10/1974
DIMEO
LN
STATE
HWY 1
Note -
Assessor's Parcel & Block
Numbers Shown in Circles.
Assessor's Map No. 59-04
County of Santa Cruz, Calif.
July 1999
Electronically redrawn 7/5/99 KSA
Rev. 11/1/02 kss (Santa Cruz City Realignment)
Rev. 7/26/02 DD (2-001580 sp into 1-34 & 35)
Rev 11/18/02 CB (Cor to line work)
Rev 5/15/08 CB (7-0003356 & 57, Sp 1-36 & 37)

EXHIBIT F

Zoning Map



0 1,150 2,300 4,600 6,900 9,200 Feet

LEGEND

- APN: 059-041-18
- Assessors Parcels
- Streets
- State Highways

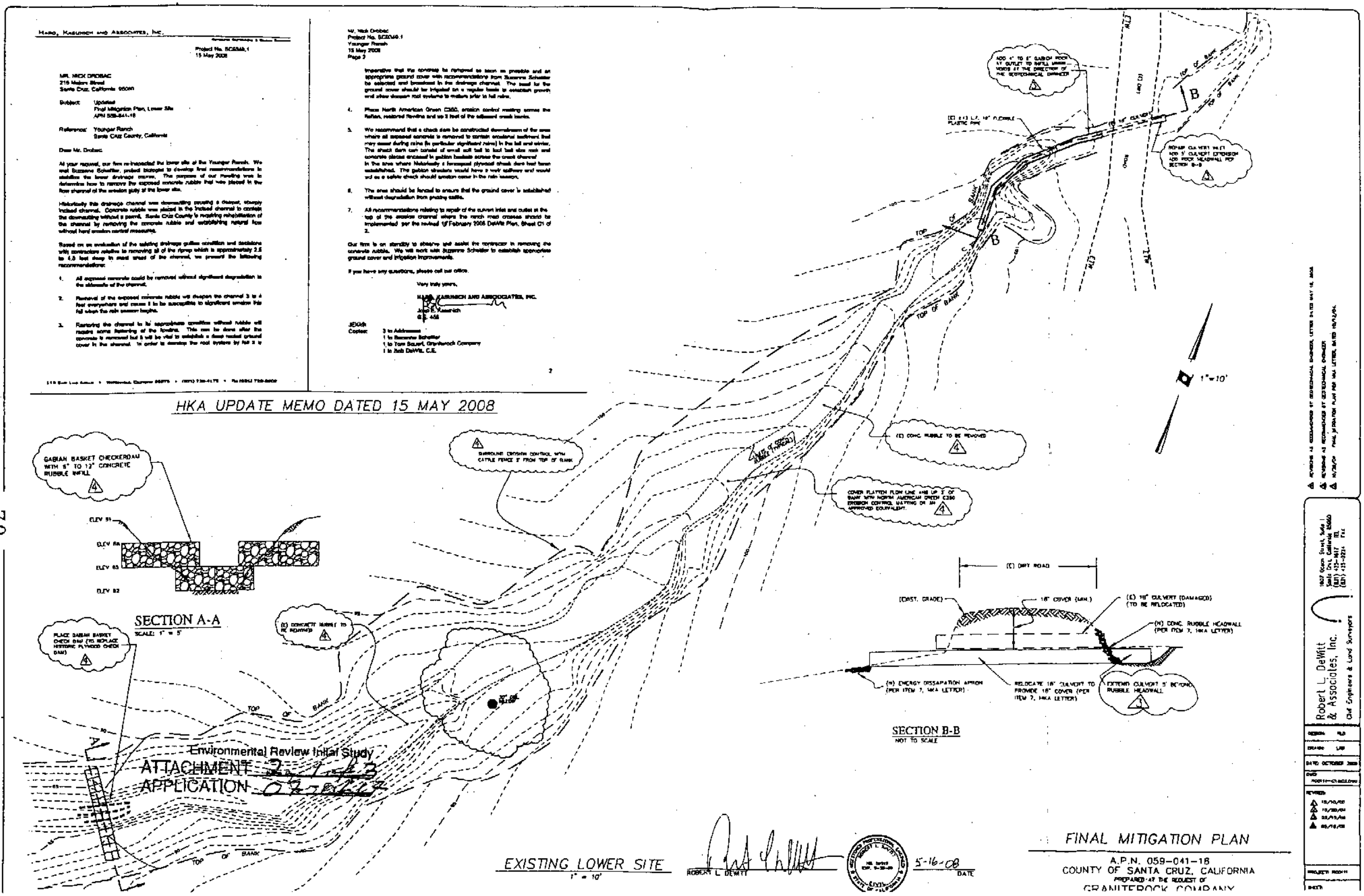
STREAMTYPE

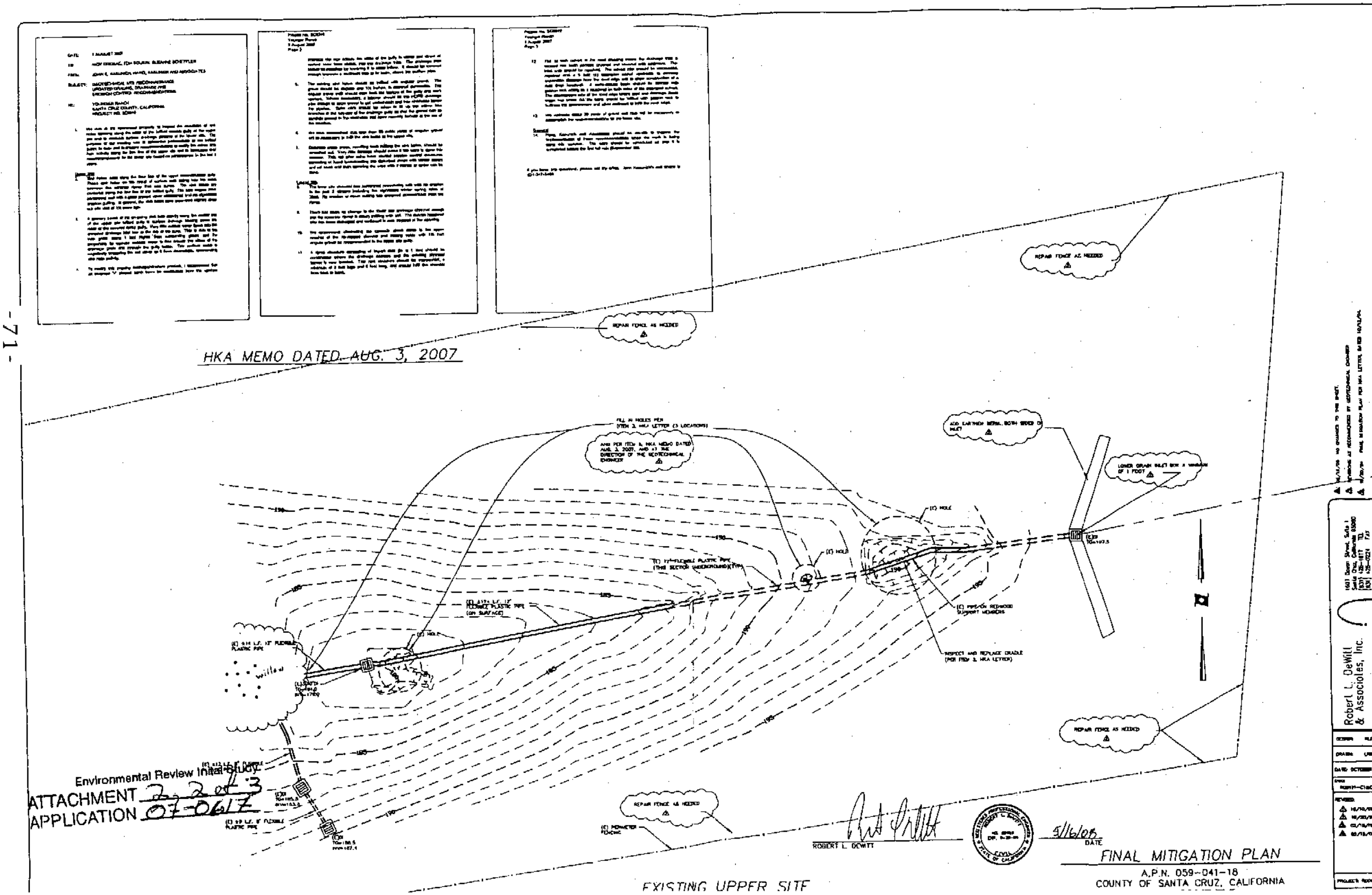
- PERENNIAL
- INTERMITTENT
- AGRICULTURE COMMERCIAL
- SPECIAL USE
- PARK

N W E S

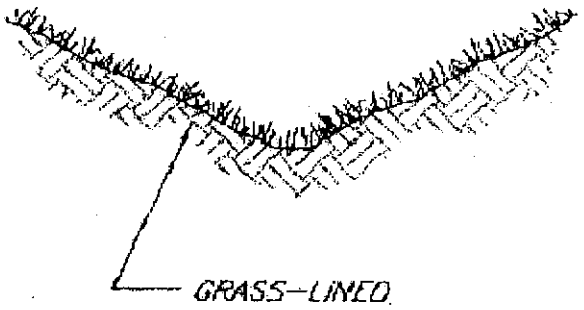
Map created by
County of Santa Cruz
Planning Department
August 2007

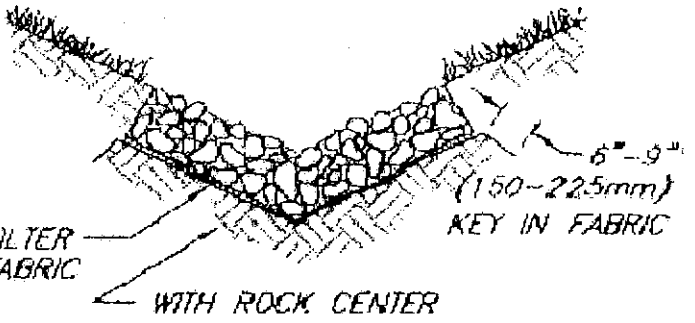
EXHIBIT G


HKA UPDATE MEMO DATED 15 MAY 2008
GABIAN BASKET CHECKERDAM WITH 6" TO 12" CONCRETE RUBBLE INFILL
SECTION A-A
SCALE: 1" = 5'
PLACE GABIAN BASKET CHECK DAM (TO REPLACE HISTORIC PLYWOOD CHECK DAM)
(E) CONCRETE RUBBLE TO BE REMOVED
SURROUND EROSION CONTROL WITH CATTLE FENCE 3' FROM TOP OF BANK
(E) CONC. RUBBLE TO BE REMOVED
COVER FLATTEN FLOW LINE AND UP 3' OF BANK WITH NORTH AMERICAN GREEN C350 EROSION CONTROL MATTING OR AN APPROVED EQUIVALENT.
ADD 4" TO 8" GABION ROCK AT OUTLET TO INFILL VOIDS AT THE DIRECTION OF THE GEOTECHNICAL ENGINEER
REPAIR CULVERT INLET ADD 5' CULVERT EXTENSION ADD ROCK HEADWALL PER SECTION B-B
TOP OF BANK
1" = 10'
(E) DIRT ROAD
(EXIST. GRADE)
18" COVER (MIN.)
(E) 18" CULVERT (DAMAGED) (TO BE RELOCATED)
(N) CONC. RUBBLE HEADWALL (PER ITEM 7, HKA LETTER)
(N) ENERGY DISSAPATION APRON (PER ITEM 7, HKA LETTER)
RELOCATE 18" CULVERT TO PROVIDE 18" COVER (PER ITEM 7, HKA LETTER)
EXTEND CULVERT 5' BEYOND RUBBLE HEADWALL
SECTION B-B
NOT TO SCALE
Environmental Review Initial Study
ATTACHMENT 2, 1 of 3
APPLICATION 07-0727
EXISTING LOWER SITE
1" = 10'
ROBERT L. DEWITT
5-16-08
DATE
FINAL MITIGATION PLAN
A.P.N. 059-041-18
COUNTY OF SANTA CRUZ, CALIFORNIA
PREPARED AT THE REQUEST OF
GRANITEROCK COMPANY
Robert L. DeWitt & Associates, Inc.
Civil Engineers & Land Surveyors
1607 Ocean Street, Suite 1
Santa Cruz, California 95060
DATE: OCTOBER 2008

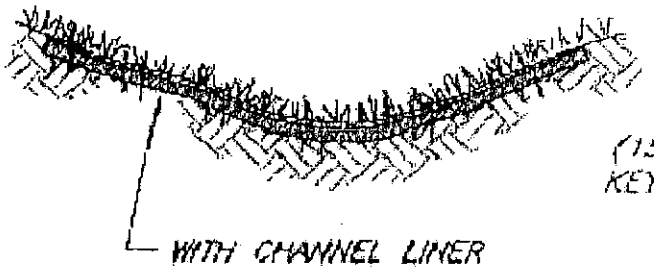


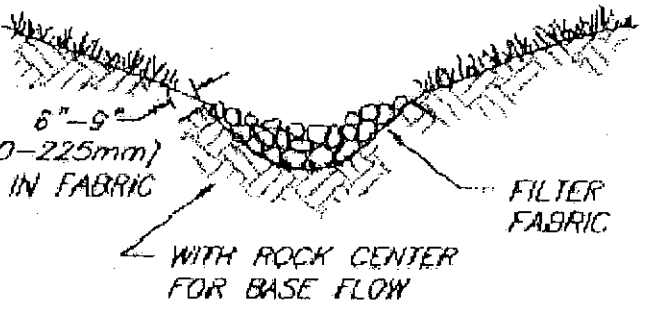
Environmental Review Initial Study
ATTACHMENT 2, 2 of 3
APPLICATION 07-0617



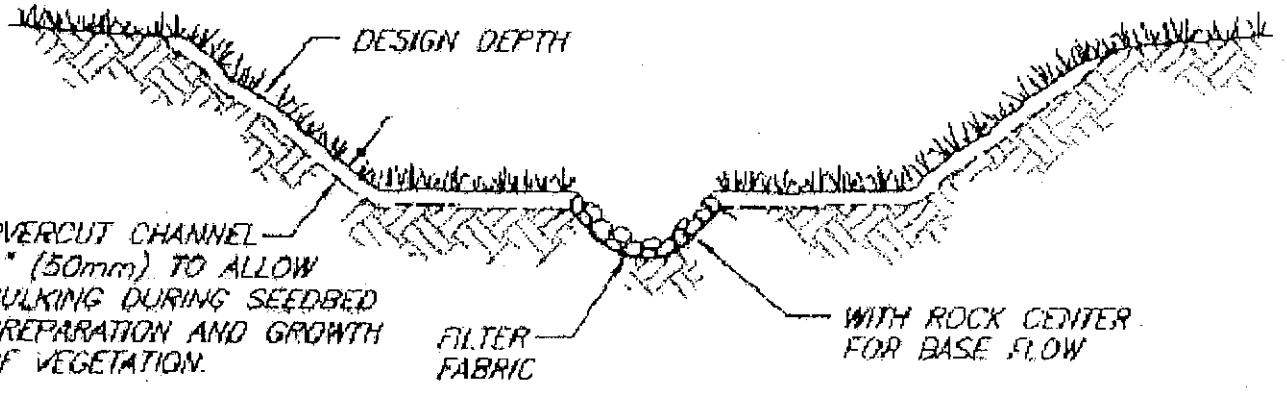


TYPICAL V-SHAPED CHANNEL CROSS-SECTION





TYPICAL PARABOLIC CHANNEL CROSS-SECTION



TYPICAL TRAPEZOIDAL CHANNEL CROSS-SECTION

GRASS-LINED CHANNEL TYPICAL CROSS SECTIONS

FILE: GRASS-XS

Environmental Review Inital Study
ATTACHMENT 2 of 3
APPLICATION 07-0617

Lower Repair Site

HARO, KASUNICH AND ASSOCIATES, INC.

CONSULTING GEOTECHNICAL & COASTAL ENGINEERS

Project No. SC9349.1
15 May 2008

MR. NICK DROBAC
218 Majors Street
Santa Cruz, California 95060

Subject: Updated
Final Mitigation Plan, Lower Site
APN 059-041-18

Reference: Younger Ranch
Santa Cruz County, California

Dear Mr. Drobac:

At your request, our firm re-inspected the lower site at the Younger Ranch. We met Suzanne Schettler, project biologist to develop final recommendations to stabilize the lower drainage course. The purpose of our meeting was to determine how to remove the exposed concrete rubble that was placed in the flow channel of the erosion gully at the lower site.

Historically this drainage channel was downcutting causing a deeper, steeply incised channel. Concrete rubble was placed in the incised channel to contain the downcutting without a permit. Santa Cruz County is requiring rehabilitation of the channel by removing the concrete rubble and establishing natural flow without hard erosion control measures.

Based on an evaluation of the existing drainage gullies condition and decisions with contractors relative to removing all of the riprap which is approximately 2.5 to 4.5 feet deep in most areas of the channel, we present the following recommendations:

1. All exposed concrete could be removed without significant degradation to the sidewalls of the channel.

2. Removal of the exposed concrete rubble will deepen the channel 3 to 4 feet everywhere and cause it to be susceptible to significant erosion this fall when the rain season begins.

3. Restoring the channel to its approximate condition without rubble will require some flattening of the flowline. This can be done after the concrete is removed but it will be vital to establish a deep rooted ground cover in the channel. In order to develop the root system by fall it is

Environmental Review Inital Study
ATTACHMENT 3, 1 of 7
APPLICATION 07-0617

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imperative that the concrete be removed as soon as possible and an appropriate ground cover with recommendations from Suzanne Schettler be selected and broadcast in the drainage channel. The seed for the ground cover should be irrigated on a regular basis to establish growth and allow deepen root systems to mature prior to fall rains.

4. Place North American Green C350, erosion control matting across the flatten, restored flowline and up 3 feet of the adjacent creek banks.

5. We recommend that a check dam be constructed downstream of the area where all exposed concrete is removed to contain erosional sediment that may occur during rains (in particular significant rains) in the fall and winter. The check dam can consist of small soft ball to foot ball size rock and concrete pieces encased in gabion baskets across the creek channel in the area where historically a fencepost plywood check dam had been established. The gabion structure would have a weir spillway and would act as a safety check should erosion occur in the rain season.

6. The area should be fenced to ensure that the ground cover is established without degradation from grazing cattle.

7. All recommendations relating to repair of the culvert inlet and outlet at the top of the erosion channel where the ranch road crosses should be implemented per the revised 15 February 2008 DeWitt Plan, Sheet C1 of 2.

Our firm is on standby to observe and assist the contractor in removing the concrete rubble. We will work with Suzanne Schettler to establish appropriate ground cover and irrigation improvements.

If you have any questions, please call our office.

Very truly yours,

HARO, KASUNICH AND ASSOCIATES, INC.

John E. Kasunich
G.E. 455

JEK/dk
Copies: 3 to Addressee
1 to Suzanne Schettler
1 to Tom Squeri, Graniterock Company
1 to Bob DeWitt, C.E.

Environmental Review Inital Study
ATTACHMENT 3, 2 of 7
APPLICATION 07-0617

DATE: 3 AUGUST 2007

TO: NICK DROBAC, TOM SQUERI, SUZANNE SCHETTLER

FROM: JOHN E. KASUNICH, HARO, KASUNICH AND ASSOCIATES

SUBJECT: GEOTECHNICAL SITE RECONNAISSANCE
UPDATED GRADING, DRAINAGE AND
EROSION CONTROL RECOMMENDATIONS

RE: YOUNGER RANCH
SANTA CRUZ COUNTY, CALIFORNIA
PROJECT NO. SC9349

1. We met at the referenced property to inspect the condition of sink holes forming along the nadir of the infilled erosion gully at the upper site and to evaluate surface drainage patterns at the lower site. The purpose of our meeting was to determine performance of the infilled gullys to date and to present recommendations to rectify the minor sink hole activity along the flow line of the upper site and to formulate final recommendations for the lower site based on performance in the last 2 years.

Upper Site

2. Sink holes exist along the flow line of the upper reconstructed gully. These sink holes are the result of surface soils falling into the voids between the concrete riprap that was buried. The sink holes are centered along the flow line of the infilled gully. The side slopes have performed well with a good ground cover established and no significant erosion gulling. In general, the sink holes have expanded slightly since our site visit of 1½ years ago.

3. A primary cause of the on-going sink hole activity along the center line of the upper site infilled gully is surface drainage flowing down the nadir of the covered riprap gully. Very little surface water flows into the elevated drainage inlet box at the top of the gully. This is due to the inlet grate being 1 foot higher than surrounding grade and the propensity for upslope surface water to flow around the sides of the drainage grate and through the gully below. This surface water is negatively impacting the soil cover as it flows downslope, accelerating sink hole activity.

4. To rectify this ongoing drainage/sinkhole problem, I recommend that an inverted "v" shaped earth berm be constructed from the upslope

Environmental Review Inital Study
ATTACHMENT 3, 3 of 7
APPLICATION 07-0617

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drainage inlet box across the sides of the gully to corral and direct all surface water from above, into the drainage inlet. The drainage inlet should be modified by lowering it to allow inflow. It should be lowered enough to create a sediment trap at its base, above the outflow pipe.

5. The existing sink holes should be infilled with angular gravel. The gravel should be angular and 1½ inches, in nominal dimension. The angular gravel infill should start from the bottom of the gully and work upslope. Where necessary, a laborer should lift the HDPE drainage pipe enough to allow gravel to get underneath and into sinkholes below the pipeline. Extra care should be taken to lift up the willow tree branches at the keyway of the drainage gully so that the gravel can be carefully placed in the sinkholes that have recently formed at the toe of the structure.

6. We have determined that less than 50 cubic yards of angular gravel will be necessary to infill the sink holes at the upper site.

7. Disturbed slope areas, resulting from infilling the sink holes, should be smoothed out. Very little damage should occur if the work is done this summer. This fall after rains have started erosion control measures consisting of hand broadcasting the disturbed areas with winter barley and oat seed and then covering the area with 2 inches of straw can be done.

Lower Site

8. The lower site channel has performed remarkably well with no erosion in the past 2 winters including the significant winter spring rains of 2006. No erosion or down cutting has occurred downstream from the riprap.

9. There has been no change to the lower site drainage channel except that the concrete riprap is slowly infilling with soil. The culvert headwall inlet has been damaged and sediment is now trapped at the opening.

10. We recommend eliminating the cascade check dams in the upper reaches of the rip-rapped channel and infilling voids with 1½ inch angular gravel as recommended in the upper site gully.

11. A riprap structure consisting of import rock (½ to 1 ton) should be constructed where the drainage narrows and the existing plywood barrier is now located. This rock structure should be trapezoidal, a minimum of 3 feet high and 6 feet long, and should infill the channel from bank to bank.

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APPLICATION 07-0617

12. The 18 inch culvert at the road crossing where the drainage inlet is located has been partially crushed and covered with sediment. This inlet area should be repaired. The culvert inlet should be uncovered, repaired and a 5 foot (±) extension added upstream to develop separation distance from the road edge and to allow construction of a rock lined headwall. A semi-circular basin should be formed with gabion rock acting as a headwall on both sides of the extended culvert. The downstream side of the road edge where road and drainage swale water has under cut the bank should be infilled with gabion rock to buttress the environment and allow sediment to infill the road edge.

13. We estimate about 20 yards of gravel and rock will be necessary to accomplish the recommendations for the lower site.

General

14. Haro, Kasunich and Associates should be on-site to inspect the implementation of these recommendations when the work is being done this summer. The work should be scheduled so that it is completed before the first fall rain (September 30).

If you have any questions, please call my office. John Kasunich's cell phone is 831-247-5466.

Environmental Review Inital Study
ATTACHMENT 3.5 of 7
APPLICATION 07-0617

Project No. SC9349.1
28 September 2007

MR. NICK DROBAC
218 Majors Street
Santa Cruz, California 95060

Subject: Updated Plan Review of Revised
Final Mitigation Plan, Upper and Lower Sites
For APN 059-041-18
By Robert L. DeWitt and Associates
Plan Date Revision 10-20-04

Reference: Younger Ranch
Santa Cruz County, California

Dear Mr. Drobac:

At your request, our firm re-inspected the upper and lower sites at the Younger Ranch, portrayed in the reference civil engineering plans by Bob DeWitt. We also interacted with Graniterock/Pavex and with Suzanne Schettler, project biologist to discuss the performance of the improvements and to develop final recommendations to stabilize both drainage courses. Our memo of 3 August 2007 describes the condition of the upper and lower drainage sites and indicates the original implementation of improvements has performed well over time. The memo included additional recommendations to rectify minor problems that were noticed in the 2.5 years since our last inspection.

A review of the 20 October 2004 revised plan for the Upper and Lower Sites by Robert L. DeWitt and Associates indicate that the recommendations of our recent memo, in general conform to the notes and requirements of the plan. Sheets C1 of 2 presents the lower drainage site. Most recommendations on the plan are still valid. Two variations to the plan have been recommended in our August memo. One is to substitute the lower gabion rock drainage fence with a trapezoidal rock revetment in the same location, for the same purpose. The second is to extend the upper culvert where it crosses under the access road, upstream 5 additional feet, to prevent ranch traffic from damaging the inlet. These two minor changes will be implemented by Graniterock/Pavex and inspected during construction by our firm.

Sheets C2 of 2, the upper drainage site has one additional recommendation. To ensure that the storm water catch basin at the top of the drainage collects surface runoff from above, Graniterock/Pavex will build a V-shape berm directing

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pasture water to the catch basin. The existing basin will also be lowered to make sure accumulated surface water enters the drain inlet.

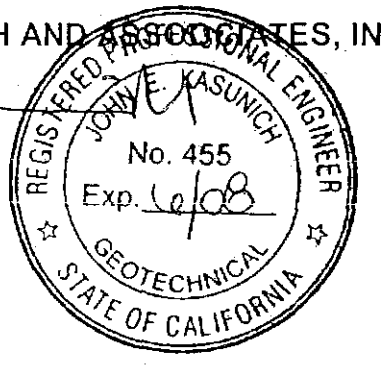
Based on our review of the revised 20 October 2004 plans and our August 2007 memo, it is our opinion the plans in general conform to the geotechnical recommendations presented by our firm.

If you have any questions, please call our office.

Very truly yours,

HARO, KASUNICH AND ASSOCIATES, INC.

John E. Kasunich
G.E. 455



JEK/sq

Copies: 3 to Addressee
1 to Suzanne Schettler
1 to Bob DeWitt, C.E.
1 to Tom Squeri, Graniterock Company

Environmental Review Inital Study
ATTACHMENT 3, 7 of 7
APPLICATION 07-0617

COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT
701 OCEAN STREET, SUITE 310, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
ALVIN JAMES, DIRECTOR

February 5, 2002
mailed 2/19/02

Mr. N. Drobac for Helen Younger Goode
218 Majors Street
Santa Cruz, CA 95060

APN: 59-041-18
App #: 00-072

Dear Mr. Drobac:

Introduction:
The review of your biotic report ("Biological Survey of Two Gully Repair Sites, Younger Ranch", Greening Associates, July 6, 2001) has been completed. A copy of the review letter from our consultant is attached for your reference. The letter explains that the appropriate surveys for plants and animals were conducted during the appropriate times of year and that in general the reviewer concurs with the stated findings and recommendations. Specifically, he concurs with the recommendation that the fill be removed from the lower site and retained in the upper site. All correction activities recommended in the report shall be followed.

Note that the report is very well done, and has been accepted by the reviewer "in concept". This is because a full biotic approval cannot be given until information regarding the issue of wetlands is submitted. Specifically, a supplemental analysis is required to establish the amount of wetland that was removed, disrupted or replaced by fill in each of the fill areas. This quantification, necessary in order to quantify the amount of mitigation that is required, has not been done as part of the biotic report. Once the mitigation amount is quantified your biologist shall prepare a plan for restoring that amount of wetland on site or off site if no feasible area is available on the parcel. This information may be submitted with the applications that are detailed below.

Applications for Permits to Resolve The Violation(s):
In order to move forward into the permitting stage of the process that will resolve the violation(s) on the parcel several things must occur:

Environmental Review Inital Study
ATTACHMENT 4, 1 of 3
APPLICATION 07-0617

1. Please apply at the Zoning Counter for "as built" coastal and grading permits, Riparian Exception and Environmental Assessment (also known as CEQA review) to cover the work that was done and for the mitigation/correction activities that are yet to be done. The grading plans produced for the erosion control work, once updated to accurately reflect the as-built condition, can be the basis for the grading permit on the upper site. Please generate a complete grading plan for the removal of the fill and restoration of the lower site, pursuant to the Greening Associates report. Additional reviews and/or applications may be required, this will be determined after the Coastal and Grading applications are submitted and evaluated for completeness;

2. The plans shall include a mitigation plan that clearly describes the mitigation activities, such as the regrading and restoration of the lower site and restoration of lost wetland area, identifies the sensitive habitats and appropriate "no disturbance" areas, specifies revegetation as needed, etc;

3. Submit a map prepared by your biologist that indicates the biotic "hot spots" identified in the report (Ohlone Tiger Beetle areas, the wildflower field, locations of sensitive species, etc.) so that appropriate protections and avoidance can be incorporated into your plans. The map shall be on an accurate, detailed base, and drawn to scale;

4. After plans are submitted to the Planning Department we will require comment from and/or consultation with the U.S. Fish and Wildlife Service and California Department of Fish and Game;

5. Quantification by the biologist of the amount of lost wetland and a plan to mitigate that loss.

Conditions Regarding Biotic Resources:
In order to comply with the Sensitive Habit Ordinance (Chapter 16.32) and the Santa Cruz County General Plan, conditions will be attached to the "as built" work and the proposed restoration. These conditions may include restrictions on future clearing and/or modification in sensitive areas, acknowledgements of the identified resources and restrictions on development in those areas to be recorded on the property deed, etc. These conditions will be prepared for you after the application for the coastal, grading, Riparain Exception and the accompanying mitigation plan are reviewed.

Conclusion:
I have included a list of required materials for making grading permit and coastal permit applications. Please contact the reception desk to make an appointment at the Zoning Counter (454-3252), and please call me if you have any questions about this letter.

Sincerely,

Paia Levine
Resource Planner

FOR: Ken Hart
Environmental Planning
Principal Planner

Environmental Review Inital Study
ATTACHMENT 4, 2 of 3
APPLICATION 07-0617

CC: David Carlson, North Coast Resource Planner
Richard Nieuwstad, (e Compliance
Thomas Squeri, Granite Rock Construction
Helen Younger Goode, Property Owner
Robert Goode, for Helen Goode

Environmental Review Inital Study
ATTACHMENT 4, 3 of 3
APPLICATION 07-0617

Greening associates

August 22, 2007

Mr. Matt Johnston
Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060

RE: YOUNGER RANCH EROSION REPAIRS

Dear Mr. Johnston,

On June 29 I visited the Younger property just outside the Santa Cruz city limits with attorney Nick Drobac, Tom Squeri (Graniterock) and John Kasunich (Haro and Kasunich). We visited both the lower erosion site and the upper erosion site, and weighed the potential remedies for the existing red tag on the property. We agreed on the approach described by John Kasunich in his recent memo.

Subsequent to the site visit, I conferred with Bryan Mori, the wildlife biologist who evaluated special-status wildlife species that could potentially inhabit the lower and upper fill sites, or the drainages downstream of the fill sites. The wildlife findings are detailed on pages 21-24 of Greening Associates' July 2001 Biological Survey report and are summarized here.

There are at least 19 known occurrences of California Red-legged Frog (CRF, *Rana aurora draytonii*) within 5 miles of the project site; however, neither the lower nor the upper fill site supports breeding habitat for CRF. Given their widespread occurrence in the project vicinity, CRF may occur on occasion at the study sites, or downstream of the study sites, during dispersal from nearby breeding habitats. Such occurrences are possible during the rainy season.

At least 32 adults of Ohlone Tiger Beetle (OTB, *Cicindela ohlone*), an unusally high concentration, were observed at the upper fill site during the 2001 biological survey. This species was not listed at the time of the July 2001 report but was federally listed as Endangered on October 3, 2001. OTB adults are active mostly February to April, with the larvae below ground the rest of the year.

Burrowing Owls (*Speyotyto cunicularia*) have not been known to breed in Santa Cruz County since 1987, although up to wintering 14 individuals have been observed in past years, including one observation near the north boundary of the Younger property. The grasslands on the site may provide denning habitat for an occasional wintering owl.

Environmental Review Inital Study
ATTACHMENT 5, 1 of 13
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No other special-status wildlife issues were present on the site during the time of our survey in 2001. We conclude the proposed remediation work should create no impact to special-status wildlife species if:

a. additional site work to complete the erosion repair takes place between May 1 and the first rains; and if

b. the access footprint to the repair sites is kept to a minimum size (i.e., a single lane across the shortest route possible through grassland habitat from the existing ranch roads).

In addition to the special-status wildlife, 6 special-status plant species and a number of locally-rare or special-interest plant species were present in the two survey areas. All are either annuals (present during the dry season as seed) or are essentially dormant during the dry season. If the remedial work is conducted as described in (a) and (b) above, negative impacts to these species will be minimized or avoided entirely.

I hope this information is helpful to you in processing the permit application.

Sincerely,

Suzanne Schettler
Principal

REFERENCE

Greening Associates. July 6, 2001. Biological Survey, Two Gully Repair Sites, Younger Ranch, APN 059-041-18, Santa Cruz County, California.

cc: Nick Drobac
218 Majors Street
Santa Cruz, CA 95060

Environmental Review Inital Study
ATTACHMENT 5, 2 of 13
APPLICATION 07-0617

Greening associates

February 15, 2008

Mr. Nick Drobac
218 Majors Street
Santa Cruz, CA 95060

RE: YOUNGER RANCH

Dear Mr. Drobac,

This letter is in response to Alice Daly's letter of November 2, 2007, and specifically to the updates on page two by David Carlson. I will address each of the five items in order.

1.A. AMOUNT OF WETLAND REMOVED, DISRUPTED OR REPLACED BY FILL IN EACH OF THE FILL AREAS.

A review of historical aerial photographs and pre-project photos on the ground indicates that erosion at the two fill sites took place gradually or episodically over a period of at least years at the lower site, and over a period of decades at the upper site. Therefore, for purposes of this project, the wetland impact area is defined as the area of wetland that existed just prior to the placement of the fill material. It is not the whole area of the swales as they existed before surface erosion began.

Lower fill site: 3,000 square feet. At the lower site, the wetland area in late summer 2000 consisted of an eroded channel etched into a coastal terrace. The portion of this channel that was filled with concrete was 250' long with an average width of 12'. If the concrete fill remains in place, 3,000 sq. ft. of wetland area will remain impacted.

Upper fill site: 2,000 square feet. The wetland area at the upper site consisted of a shorter and deeper gully, with some seeps in the nearly-vertical banks which were actively eroding. Because erosion was actively causing soil to fall from the banks, they were devoid of vegetation; the three wetland indicators (wetland hydrology, wetland soils, and hydrophytic vegetation) were present, at maximum, only in the bottom of the gully. This area measured 200' long with an average width of 10'. If the concrete remains in place as currently anticipated, 2,000 sq. ft. area of wetland area will remain impacted.

A total of 5,000 square feet or 0.11 acre of wetland was thus impacted by placement of the Mission Street concrete in the lower and upper fill sites combined.

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1.B. AMOUNT OF WETLANDS FILLED BETWEEN JULY 2002 AND JUNE 2007.

The July 2001 Biological Survey report identified a federal C1 candidate plant species growing in the broad, shallow drainage swale at the lower survey area, upstream of the ranch road intersection (Greening Associates 2001, page 13-14). This area was characterized by a series of step-pools (*Ibid.*, page 19) that provided some seasonal value to wildlife and cattle, although the biotic survey concluded that these pools did not support any special-status wildlife species.

Some time between July 2002 and June 2007, when consultants were asked to revisit the site and update their recommendations, the step-pools were filled with rock. The areas of rock fill are readily distinguished from the surrounding dark clay surface soil. I measured the area of the rock-filled pools on January 24, 2008, as follows.

WETLANDS FIILLED AT YOUNGER RANCH BETWEEN JULY 2002 AND JUNE 2007	
POOL IDENTIFICATION numbered from corral inland	AREA
1	562.5 sq. ft.
2	62.5 sq. ft.
3	200 sq. ft.
4	500 sq. ft.
5	843.75 sq. ft.
6	375 sq. ft.
7	1,750 sq. ft.
8	525 sq. ft.
	TOTAL 4,818.75 sq. ft. = 0.11 acre

This relatively recent fill doubles the area of wetland removed, disrupted, or replaced by emplacement of fill, bringing the total for the parcel to 0.22 acre. It also illustrates that the identification of biologically sensitive features may sometimes place them in jeopardy.

2. PLAN TO RESTORE WETLANDS ON SITE OR OFF SITE.

Lower fill site.

The current plans for the lower fill site do not restore the site to the conditions that existed before the concrete was filled in the channel, rather they bring the site up to accepted engineering standards. From upstream to downstream, the measures proposed include:

- extend the road culvert inlet and add a gabion rock headwall to stabilize the approach to the inlet
- add 1-1/2" gravel to fill minor voids SEE LETTER OF MAY 2
- remove the plywood check dam and install a trapezoidal rock revetment across the channel downstream from the concrete fill

These improvements are illustrated on Robert L. DeWitt's plan sheet C1, updated 2/15/08. The work area and access route are identified on Figure 1, attached. I recommend against fencing the

lower fill site, so that cattle can gradually trample the banks into a smooth swale that will be more stable than the existing vertical banks.

In theory, a pond could be excavated to expand the wetland area at the lower site. However, that is not feasible because excavation would negatively impact the ground-dwelling Ohlone Tiger Beetle, a federally listed Endangered species.

Upper fill site.

There is general agreement that it is better to leave the concrete in the upper fill area than to re-create the deep gully that formerly existed there. Drainage improvements are planned to promote the stability of the upper fill site.

- lower the drainage inlet box at least one foot
- add an earthen berm to direct drainage to the culvert inlet
- place 1-1/2" gravel in voids at the direction of the soil engineer
- repair the fence to keep out cows

These improvements are illustrated on Robert L. DeWitt's plan sheet C2, updated 2/15/08. The work area and access route are identified on Figure 2, attached.

Wetlands filled between July 2002 and June 2007.

The 0.11 acre of wetlands filled since July 2002 can be restored in a straightforward manner. This will require removing the rock from the pools – by hand – and placing it in a small loader. The first four hours of this work should be directed by a qualified biologist. The rock will then be trucked off the property for disposal at a legal disposal site. The work area and access route are identified on the attached aerial photo. When the rock has been removed, the site will be inspected by the biologist to ensure that the rock fill was removed as cleanly as the concrete was previously removed from the staging area for the "upper fill site", and a letter report will be submitted to the county Planning Department.

3. PLAN FOR IMPROVEMENTS AT THE LOWER SITE

Please see Item 2 above and the DeWitt plan sheets for description of the planned improvements. Also see the attached aerial photo (Figure 1) for locations of the work area and access route.

4. MAP OF BIOTIC "HOT SPOTS"

The July 2001 biological survey pointed out that a federal C1 candidate plant species was growing in the drainage swale at the lower survey area, upstream of the road intersection. Subsequently, the wetter areas of the drainage swale were filled with rock. This is the kind of situation where it is more prudent to map the work areas and access routes than to map the biotic resources. Accordingly, Google maps, with scale bars, of the work areas and access areas are attached.

5. MITIGATION PLAN

The wetlands that were filled with rock after the July 2001 report was submitted can be restored as described above and the impact on 4,819 square feet of wetland will be reversed. If the concrete fill is left in place at the original "lower fill site" and "upper fill site", there remains a need to mitigate for the 5,000 square feet of wetland that was impacted as of 2001.

Under the California Environmental Quality Act, avoidance of negative impacts is preferable to mitigation. When mitigation is called for, highest priority is placed on in-kind and on-site mitigation, followed by in-kind and off-site mitigation. Out-of-kind and off-site mitigation is the third choice.

Mitigation in-kind and on-site could consist of digging a seasonal pond to expand the wetland area at the lower site, but is precluded because ground disturbance would involve take of the federally listed Ohlone Tiger Beetle. The property owner is not willing to place a conservation easement on any part of the property as an alternate method of achieving in-kind and on-site mitigation.

Mitigation in-kind and off-site could potentially consist of support for wetland improvements on land or easements owned by the Land Trust of Santa Cruz County, which has holdings in the vicinity of the Younger property. However, the Land Trust has been consulted and they have no suitable wetland mitigation site available.

Two mitigation banks operate in Santa Cruz County. The Pajaro River Mitigation Bank has created seasonal wetlands near the Santa Clara/San Benito county line to mitigate wetland impacts in the Pajaro River watershed. It has not been determined whether they would consider mitigation for in-kind impacts outside the watershed. That mitigation bank is operated by Wildlands, Inc., based in Rocklin.

Mitigation out-of-kind and off-site may available through the Zayante Sandhills Conservation Bank, managed by PCO LLC. The sandhills habitat is unlike the wetlands on the Younger property, but it is located in Santa Cruz County and, like the Younger property, it is home to federally listed plants and insects.

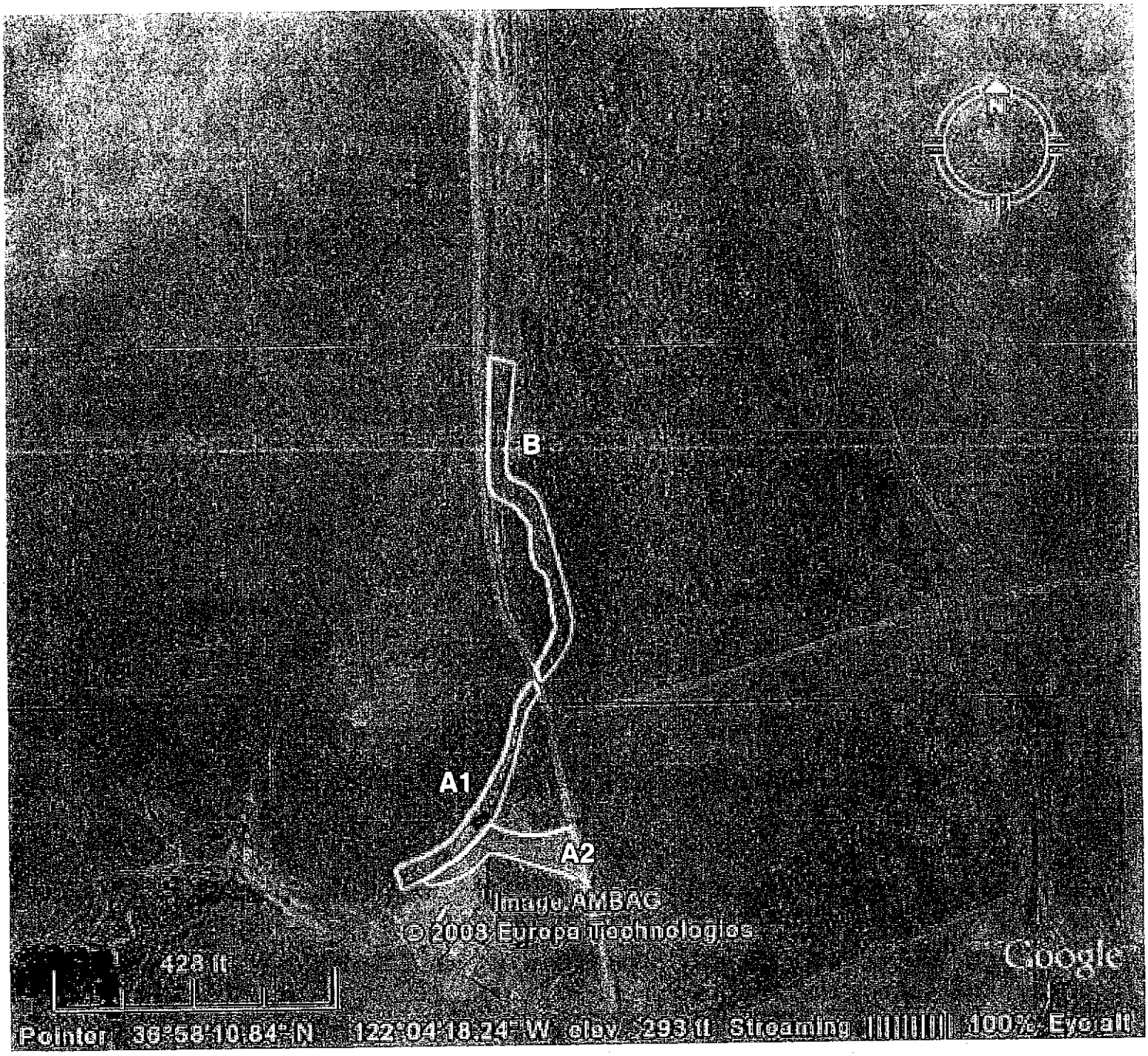
Mitigation options for impacted wetlands on the Younger property are extremely limited, but are being diligently pursued.

Sincerely,

Suzanne Schettler
Principal

cc: Tom Squeri, John Kasunich
enclosures: aerial photos showing work areas and access areas

Figure 1



A1: Lower Fill Site _ Work Area
A2: Lower Fill Site _ Access Route
B: Post-2002 Rock Fill In Swale _ Access From Road

Environmental Review Inital Study

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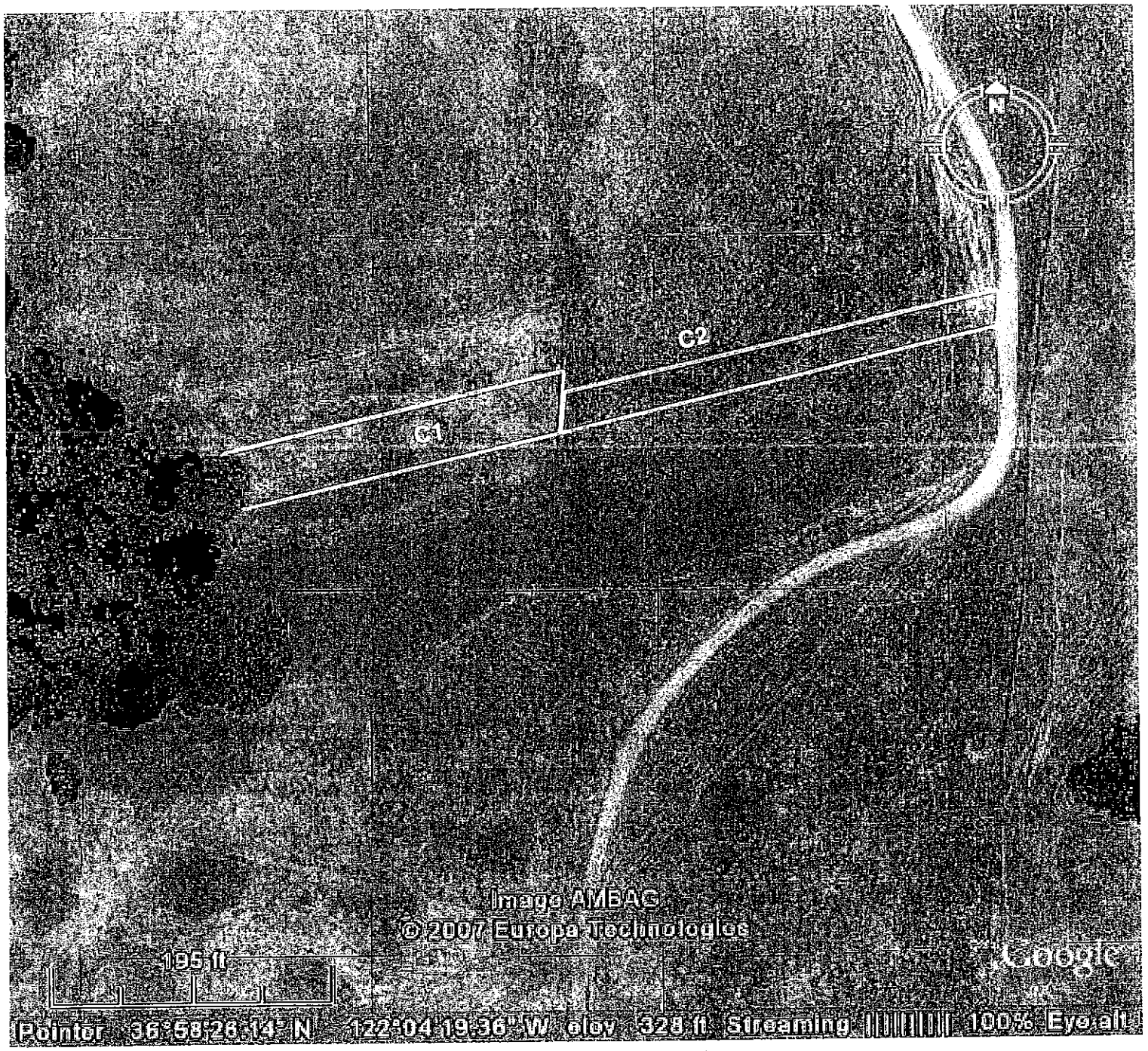
Figure 2



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C1: Upper Fill Site _ Work Area
C2: Upper Fill Site _ Access Route

Greening associates

May 2, 2008

Nick Drobac
Attorney at Law
218 Majors Street
Santa Cruz, CA 95060

RE: YOUNGER PROPERTY
PLAN FOR RESTORATION AND ENHANCEMENT OF FILLED WETLANDS

Dear Mr. Drobac,

I was sorry you could not participate in much of the meeting at the Younger site on April 24 with Tony Riccabona (landscape contractor), John Kasunich (engineer), Bob Goode (son of the property owner), and me. This is a recap of the approach we discussed.

LOWER FILL SITE
The current plan is to remove the concrete from the lower fill site, round the channel banks, seed the site, plant willows, fence cattle off the repair area, and repair the culvert and install drainage improvements at the road crossing. This would put the lower fill site back to a functional facsimile of the way it was.

Figure 1 is a photograph taken by Bob Goode in 2000 before the concrete was deposited. It shows the lower site with rounded banks and a flat bottom, and this general configuration will be restored. The minimum amount of dirt will be moved to smoothe the jagged surfaces left by removal of the concrete.

A fairly surgical procedure will be used to remove the fill, using hand labor and the smallest piece of equipment that has the capacity to lift the pieces of concrete. A rubber-tracked mini-excavator with a thumb will feed the concrete pieces to a mid-size Kubota tractor. The tractor will ferry the concrete to nearby dump trucks for transport to the city dump. Laborers will load the smaller concrete pieces into the tractor by hand.

a. Below the Willow. We agreed that the rock revetment shown on the 2/15/08 revision of Sheet C1 should be slightly modified. A check dam of gabion baskets filled with football- to softball-size concrete pieces will be installed a short distance upstream of the location previously planned, at a location where the channel is broader. Water flow at a broad location will have less velocity and will drop more sediment to re-fill the area where scouring has occurred between the gabions and the willow. The strategy is to work with the natural stream dynamics and encourage deposition of sediment to create over time a broadened, flatter streambed resembling the original channel configuration. John Kasunich is preparing a new revision of Sheet C1 to reflect this gabion check dam. Six or more willows will be planted downstream from the existing willow tree. The site will be seeded with Cereal Barley (*Hordeum vulgare*) at 120 pounds per acre and California Barley (*Hordeum brachyantherum*) at 20 pounds per acre.

b. Above the Willow. It is interesting that the portion of the channel above the Willow has functioned the way we expect the proposed remedy downstream of the Willow to work. The roots of the old tree create a functional check dam or grade control. Upstream from the Willow, accumulated

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sediment has buried an area of concrete fill and created a relatively broad, flat channel that appears to be stable. See the grassy flat area in Figure 3. We propose that the now-buried concrete in this grassy flat area remain, and that all the visible concrete upstream from the Willow be removed, along with other layers of concrete beneath it that may be exposed by removing the visible pieces of concrete. Eight or more willows will be planted above the existing tree. The site will be seeded with Cereal Barley (*Hordeum vulgare*) at 120 pounds per acre and California Barley (*Hordeum brachyantherum*) at 20 pounds per acre.

The drainage and culvert at the road crossing will be repaired according to the 2/15/08 revision of Sheet C1.

c. Success Criteria. A total of fourteen healthy willows in spring 2010 will constitute a successful planting of the lower fill site. The grading will be evaluated by the presence or absence of active erosion on the banks or channel bottom. The repaired drainage at the road crossing will be inspected during rain events to determine whether it is functioning as intended.

d. An Emergency Permit is Needed. I was a bit surprised when Bob Goode, whom I assume originally approved the disposal of the concrete on his mother's property, volunteered that the gully has grown deeper since the placement of the concrete. This bears out a 2001 prediction by Steve Singer, Certified Professional in Erosion and Sediment Control: hard material placed in a drainageway will deflect the water flow in multiple directions and exacerbate erosion. Since the concrete was emplaced, swirling water has "power washed" (Bob's apt description) the sides and bottom of the channel, which is now broader and deeper than it was when the concrete was deposited.

The work described above should be done during the dry season, and it is becoming apparent that greater damage will occur if the concrete removal is not done this summer. Rainfall during the last two winters has been low, and yet the concrete has caused accelerated erosion. If next winter is wet, the problem will be substantially larger. Approval to remove the concrete from the lower fill site should be obtained as soon as possible.

FILLED POOLS IN SWALE BETWEEN LOWER AND UPPER FILL SITES

Some time after 2002, seven low areas in the swale that parallels the ranch road were filled with mudstone (shale). These filled wetland areas total 4,418 square feet. The filled rock is in relatively small pieces.

At the time the concrete is removed from the lower site the mudstone that was used to fill the low spots in the swale beside the ranch road will also be removed. The fill material can be distinguished by its color and texture from the relatively rock-free natural soil beneath. Although it has been somewhat mixed by the trampling of cattle, it can be removed by hand-picking the larger pieces and raking and shoveling the smaller pieces. The rock will be ferried by tractor to dump trucks parked on the road, and then trucked offsite for disposal. The objective is to put the site back the way it was, and restore the swale and the former pools to functioning wetlands.

UPPER FILL SITE

There is general agreement that the concrete fill should remain in the upper fill site. Before the fill, it was a deep, actively eroding gully and it is not desirable to restore it to that condition. It differs from the lower fill site in that drainage is conveyed by a corrugated plastic pipe rather than through and around the concrete pieces, therefore it is more stable and can be improved by implementing the repairs shown on plan sheet C2.

There is no place on the property where wetlands can be created or expanded without potentially impacting the endangered Ohlone Tiger Beetle. Mitigation for the fill at the upper fill site will take place at the site itself. Willow cuttings will be installed between and alongside the pieces of concrete. The purpose of planting willows is twofold: to provide supplemental erosion control, and to enhance the wetland values of the site. All willows will be planted inside the internal fence that encloses the filled gully, not up the side slopes of the surrounding pasture.

The upper fill site will be photographed in late summer 2008 to identify relatively moist (greener) locations where willow cuttings will be planted. Willow cuttings will be installed low on the slopes where there are seeps, also in depressions in the soil surface and among patches of existing Rushes (*Juncus* spp.). Willow cuttings are planted in January when they are leafless. They will be installed in pilot holes and then the soil will be tamped around them to insure good soil contact.

The success of the willow planting will be evaluated when a dry season has passed and the plants have leafed out during the next spring; i.e., spring 2010. Success will consist of twelve willows being present in healthy condition. Extras should be planted to allow for some spots to be more successful than others.

SUPERVISION BY BIOLOGIST

The work described above will be supervised by a qualified biologist. The biologist will be present during the first two hours of work, as well as for one additional hour the first day and one hour each subsequent day. The approach Tony Riccabona came up with for removing the fill from the lower site and the swale beside the road is well suited to this sensitive site, and I anticipate that supervision will be something of a formality. In the unlikely event a problem develops, I anticipate you will be the judge of how to resolve it. I am willing to provide the site supervision or to defer to another qualified person of your choosing.

I hope this plan, combined with my note to you of April 24, will address the County's remaining Discretionary Items. I support your suggestion that restoration activities be initiated in the near future, with the red tag being released after an appropriate time period has demonstrated that the repairs are functioning properly.

Sincerely,

Suzanne Schettler
Principal

cc: John Kasunich
Tony Riccabona
Bob Goode

attachments: 3 photographs

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FIGURE 1. The lower fill site in 2000, looking downstream from the old willow. Soil has since eroded from the channel bed, therefore the repaired channel bottom will be lower than it was in 2000. The banks will be rounded and the channel bottom will be flat, as in this photograph.

FIGURE 2. The same site, May 1, 2008. Dashed lines indicate the previous elevation of the channel bottom.

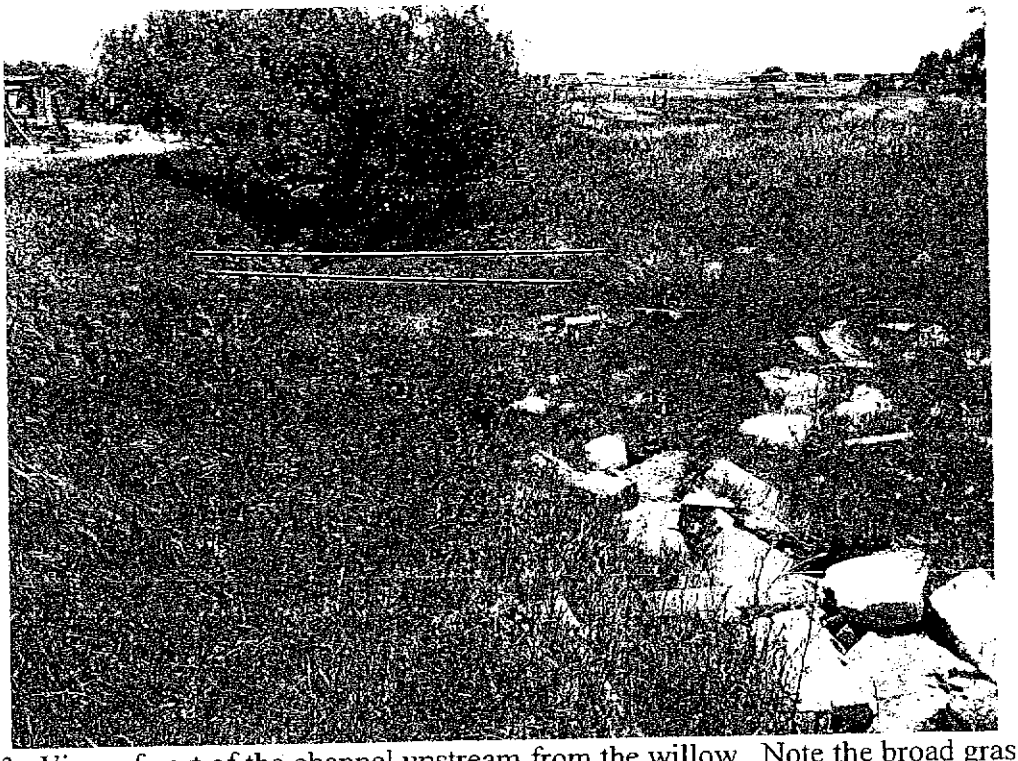
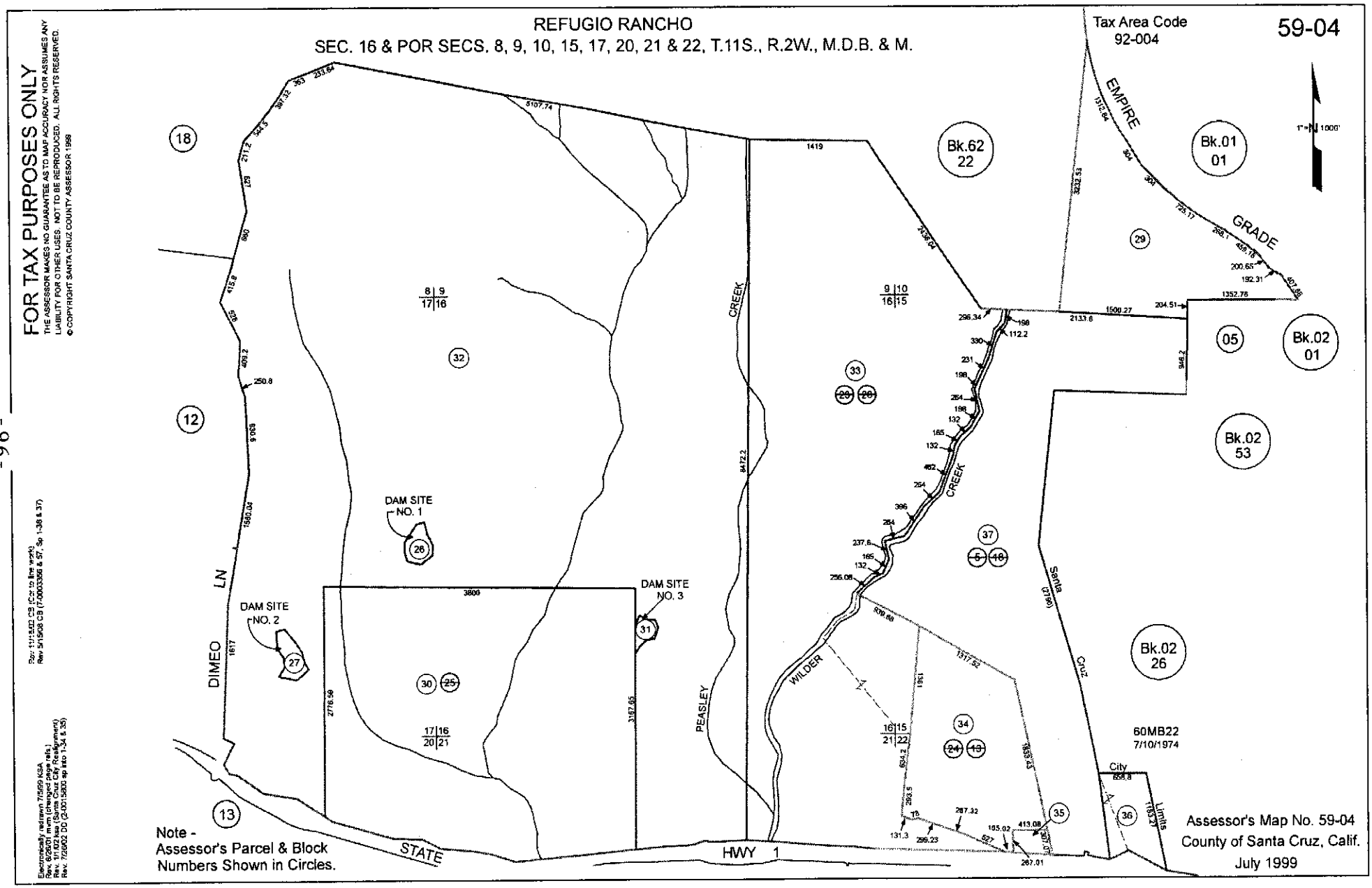


FIGURE 3. View of part of the channel upstream from the willow. Note the broad grassy flat area where the willow has captured sediment. The brown lump in the center of the picture is a remnant of the previous channel bottom.


REFUGIO RANCHO
SEC. 16 & POR SECS. 8, 9, 10, 15, 17, 20, 21 & 22, T.11S., R.2W., M.D.B. & M.
Tax Area Code
92-004
59-04
FOR TAX PURPOSES ONLY
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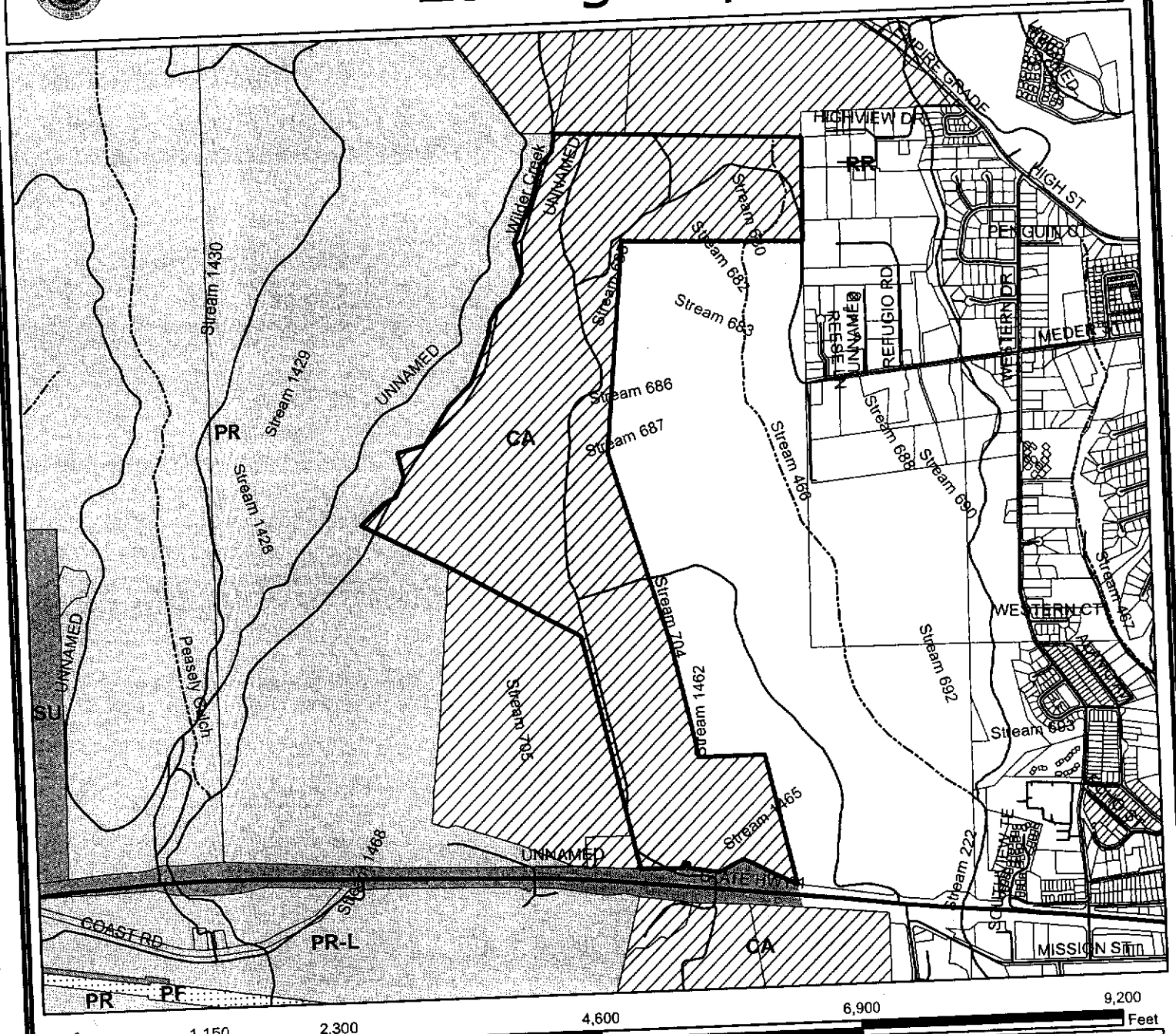
Bk.62 22
Bk.01 01
Bk.02 01
Bk.02 53
Bk.02 26
EMPIRE GRADE
CREEK
DIMEO LN
PEASLEY
WILDER CREEK
Santa Cruz
DAM SITE NO. 1
DAM SITE NO. 2
DAM SITE NO. 3
STATE HWY 1
City Limits
60MB22
7/10/1974
Note -
Assessor's Parcel & Block Numbers Shown in Circles.
Assessor's Map No. 59-04
County of Santa Cruz, Calif.
July 1999

EXHIBIT F

Zoning Map



0 1,150 2,300 4,600 6,900 9,200 Feet

LEGEND

- APN: 059-041-18
- Assessors Parcels
- Streets
- State Highways

STREAMTYPE

- PERENNIAL
- INTERMITTENT
- AGRICULTURE COMMERCIAL
- SPECIAL USE
- PARK

N W E S

Map created by
County of Santa Cruz
Planning Department
August 2007

EXHIBIT G