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CITY OF SANTA ROSA

JANICE ATKINSON, Co. Clerk
BY: C. FARIAS
DEPUTY CLERK

Kerry Ranch

2181, 2191 & 2193 Francisco Avenue, Santa Rosa, CA (Sonoma County)
Assessor's Parcel Nos. 034-041-012, 034-022-001 & 002

Initial Study/Mitigated Negative Declaration

Lead Agency:

City of Santa Rosa
Community Development Department
100 Santa Rosa Avenue, Rm. 3 (P.O. Box 1678)
Santa Rosa, CA 95402-1678

Contact: Gillian Hayes, Planner

Date: September 11, 2007

CITY OF
SANTA ROSA
DEPARTMENT OF COMMUNITY DEVELOPMENT
100 Santa Rosa Avenue
Post Office Box 1678
Santa Rosa, CA 95402-1678

DATE: September 5, 2007

TO: Public Agencies, Organizations and Interested Parties

FROM: Gillian Hayes, Planner

SUBJECT: **NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date; this is to advise you that the Department of Community Development of the City of Santa Rosa has prepared an Initial Study on the following project:

Project Name:

Kerry Ranch, Phases 1, 2 & 3

Location:

2181 (Kerry 1), 2191 (Kerry 2) & 2193 (Kerry 3) Francisco Avenue, Santa Rosa, Sonoma County, California, APNs: 034-041-012 (Kerry 1), 034-022-001 (Kerry 2) & 002 (Kerry 3).

Property Description:

The subject property is approximately 14.64 acres in size, with much of the site vacant. An existing residence on Francisco Avenue, tucked between Kerry 1 and 2, is under private ownership and not part of the project. An occupied residence is present on Kerry 3. The mostly rectangular shaped lots are generally flat with slightly rolling topography and mostly a mix of planted exotic trees and non-native grasses. The slightly rolling topography includes small areas of seasonal wetlands, with some associated wetlands plants including special-status species. Extensive wetlands and biotic studies have been done that are detailed in special reports. See discussions under Biological Resources and Hydrology & Water Quality.

The project proposes a development of 95 single-family residences with 42 second dwelling units. The project is located in Northwest Santa Rosa's quadrant delineated by Francisco Avenue on the north and east, San Miguel Avenue on the south and Fulton Road to the west. Project density would be 6.5 dwelling units (d.u.) per acre in keeping with the General Plan designated density range of 2 to 8 d.u. per acre. The surrounding area includes already developed single-family neighborhoods to the east and south, developed mostly to low density consistent with earlier versions of the Santa Rosa General Plan and Zoning Ordinance. The rest of this Northwest Santa Rosa quadrant to the west/northwest if Kerry Ranch is mostly currently processing or

developing consistent with annexations NWSR 8-87 annexed in 2000 and NWSR 3-07 annexed in 2005. The Kerry Ranch project site is part of the earlier annexation.

Environmental Issues:

Per Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines, Kerry Ranch is consistent with the development density established by the Santa Rosa 2020: General Plan, including its provisions encouraging the inclusion of second dwelling units on single family residential lots in accordance with the City's second dwelling unit ordinance. Kerry Ranch is consistent with all provisions of the City's second unit ordinance. Thus, Kerry Ranch is consistent with density specifically anticipated by the Santa Rosa 2020: General Plan and requires no further environmental review other than that related to effects that:

- are peculiar to the project or site;
- were not analyzed as significant in the prior General Plan Final EIR;
- are potential significant off-site or cumulative impacts not discussed in the General Plan EIR; or
- are previously identified significant effects which, as a result of substantial new information which was not known at the time the General Plan EIR was certified, are determined to have a more severe adverse impact than discussed in the prior General Plan EIR.

The proposed project would result in potentially significant impacts in site-related Biological Resources, Cultural Resources, Hydrology and Geology/Soils, all of which are mitigated to less than significant levels. The following Initial Study consequently finds no significant site related effects from Kerry Ranch. Cumulative environmental impacts and changes related to Kerry Ranch and any other development consistent with the Santa Rosa 2020: General Plan is evaluated in the Santa Rosa 2020: General Plan Final EIR certified June 18, 2002. No significant and unavoidable impacts or changes different from those identified in the General Plan 2020 Final EIR have been identified. Cumulative traffic impacts on Highway 101 and certain street segments were found to be significant and unavoidable in the earlier General Plan Final EIR. No significant impacts or changes peculiar to the Kerry Ranch project or site have been identified in the project-specific Initial Study/Mitigated Negative Declaration.

The above listed project-specific potentially significant impacts would be mitigated to a less-than-significant level through implementation of recommended mitigation measures or through compliance with existing Municipal Code requirements or City standards. Recommended measures are summarized in the attached Mitigation Monitoring and Reporting Plan (MMRP) and Initial Study/Mitigated Negative Declaration. The Initial Study/Mitigated Negative Declaration document has been prepared in consultation with local, and state responsible and trustee agencies and in accordance with Section 15063 of the California Environmental Quality Act (CEQA). Furthermore, the Initial Study/Mitigated Negative Declaration will serve as the environmental compliance document required under CEQA for any subsequent phases of the project and for permits/approvals required by a responsible agency.

A 30-day (thirty-day) public review period shall commence on day of week, September 11, 2007. Written comments must be sent to the City of Santa Rosa, Community Development Department, Planning Division, 100 Santa Rosa Avenue, Room 3, Santa Rosa CA 95402 by October 11, 2007. The City of Santa Rosa Planning Commission will hold a public hearing on the Initial Study/Mitigated Negative Declaration and project merits on October 11, 2007 in the Santa Rosa City Council Chambers at City Hall (address listed above). Correspondence and comments can be delivered to Gillian Hayes, project planner, phone: (707) 543-4348 email: GHayes@srcity.org

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
IV. BIOLOGICAL RESOURCES IV.A. As mitigation for impacts of Kerry Ranch 1, Kerry Ranch LLC proposes the following: Wetland mitigation at a ratio of 1:1 for 0.79 acre: • acquisition of 0.80 credits from the Hazel Mitigation Bank Endangered plant species mitigation (Sonoma sunshine): • acquisition of 0.80 acre of plant preservation credit (Sonoma sunshine) from an approved conservation bank, preserve or mitigation bank, and • establishment of 3,000 Sonoma sunshine plants in 0.80 acre of vernal pool habitat created at the Hazel Mitigation Bank or other acceptable bank.	Condition of Project approval to be implemented by project applicant; condition of USACOE permit	Community Development staff to secure proof of USACOE permit and compliance with its conditions prior to Final Map recordation and/or issuance of building permits	Improvement plans and other guarantees at time of Final Map and prior to issuance of building permits	Responsibility of USACOE and associated Federal and state agencies	
IV.B. As mitigation for impacts of Kerry Ranch 2, Kerry Ranch LLC proposes the following: Wetland mitigation at a ratio of 1:1 for 0.72 acre: • acquisition of 0.75 acre credits (credits available only in 0.05-acre units) from the Hazel Mitigation Bank. Endangered plant species mitigation (Burke's goldfields): • acquisition and protection of the 3.46-acre	Condition of Project approval already implemented by project applicant; condition of USACOE permit	Community Development staff to secure proof of USACOE permit and compliance with its conditions prior to Final	Improvement plans and other guarantees at time of Final Map and prior to issuance of building permits	Responsibility of USACOE and associated Federal and state agencies	

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
Kerry Conservation Bank site and enhancement of 1.43 acres of occupied Burke's goldfields habitat at the Kerry Conservation Bank site; and • establishment of 6,000 Burke's goldfields in at least 1.42 acres of vernal pool habitat created at the Alton South Conservation Bank and Alton North Conservation Bank, or other acceptable mitigation bank.		Map			
IV.C. As mitigation for the impacts of Kerry Ranch 3, Kerry Ranch LLC proposes the following: Wetland mitigation at a ratio of 1:1 for 0.79 acre: • acquisition of 0.80 acre credits from the Hazel Mitigation Bank. Endangered plant species mitigation (Burke's goldfields): • acquisition and protection of the 3.46-acre Kerry Conservation Bank site and enhancement of a portion of 1.43 acres of occupied Burke's goldfields habitat on the Road site; and • establishment of 6,000 Burke's goldfields in at least 1.58 acres of vernal pool habitat created at the Alton South Conservation Bank, or other acceptable mitigation bank.	Condition of Project approval to be implemented by project applicant; condition of USACOE permit	Community Development staff to secure proof of USACOE permit and compliance with its conditions prior to Final Map recordation and/or issuance of building permits	Improvement plans and other guarantees at time of Final Map and prior to issuance of building permits	Responsibility of USACOE and associated Federal and state agencies	

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
V. CULTURAL RESOURCES					
V.A. Compliance with mitigation of the ASI reports that a qualified archaeologist shall be consulted, if archaeological indicators are uncovered during project development. Work shall be stopped at the location of the discovery until the archaeologist completes a significance evaluation. If deemed necessary by the archaeologist, further work in the discovery area shall be monitored by an archaeologist.	Condition of Project approval agreed to by applicant as mitigation measure made a part of the project	Construction manager and City staff inspecting project during construction	Ongoing by project construction management and City construction inspectors	Final Map not approved until compliance; stop work action if non-compliance during construction	
VI. GEOLOGY/SOILS VI. A. Compliance with Final DAC Report	Condition of Project approval agreed to by applicant as mitigation measure made a part of the project	City departments reviewing improvement and building plans	Improvement plans and other guarantees at time of Final Map and prior to issuance of building permits	Final Map not approved until compliance; stop work action if non-compliance during construction	
VI. B. Compliance with all recommendations of the Kleinfelder and ENGEO Geotechnical Reports prepared for the project	Condition of Project approval agreed to by applicant as mitigation measure made a part of the project	City departments reviewing improvement and building plans	Improvement plans and other guarantees at time of Final Map and prior to issuance of building permits	Final Map not approved until compliance; stop work action if non-compliance during construction	

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
VIII. HYDROLOGY AND WATER QUALITY					
VIII. A. Compliance with Final DAC report	Condition of Project approval agreed to by applicant as mitigation measure made a part of the project	City departments reviewing improvement and building plans	Improvement plans and other guarantees at time of Final Map and prior to issuance of building permits	Final Map not approved until compliance; stop work action if non-compliance during construction	
VIII. B. Compliance with RWQCB conditions	RWQCB Permit issuance	RWQCB staff	Applicant reports to RWQCB at time of construction	Per RWQCB enforcement	

ENVIRONMENTAL CHECKLIST

1. **Project Title**	Kerry Ranch
2. **Lead Agency Name & Address**	City of Santa Rosa Community Development Department Planning Division 100 Santa Rosa Avenue (P.O. Box 1678) Santa Rosa, California 95402-1678
3. **Contact Person & Phone Number**	Gillian Hayes, Planner Phone number: (707) 543-4348 Email: GHayes@srcity.org
4. **Project Location**	The site is located in the City of Santa Rosa, Sonoma County, California at 2181 (Kerry 1), 2191 (Kerry 2) & 2193 (Kerry 3), Assessor' s Parcel Nos. 034-041-012 (Kerry 1), 034-022-001 (Kerry 2) & 002 (Kerry 3). (Refer to " Area Map").
5. **Project Sponsor's Name & Address**	Kerry Ranch, LLC 336 Bon Air Center, Box 115 Greenbrae, CA 94904 Sponsor's Representative: Harvey O. Rich, Managing Member
6. **General Plan Designation**	Low Density Residential
7. **Zoning**	OSC existing; PD proposed (previously prezoned IOS)

8. **Description of Project**

Setting and Background

The property is located in Northwest Santa Rosa's quadrant delineated by Francisco Avenue on the north and east, San Miguel Avenue on the south and Fulton Road to the west. The surrounding area includes already developed single-family neighborhoods to the east and south, developed mostly to low density consistent with earlier versions of the Santa Rosa General Plan and Zoning Ordinance. The rest of this Northwest Santa Rosa quadrant to the west/northwest if Kerry Ranch is mostly currently processing or developing consistent with annexations NWSR-8-87-annexed-in-2000 and NWSR-3-07-annexed-in-2005. The Kerry Ranch project site is part of the earlier annexation.

Project Description

The subject property is approximately 14.64 acres in size, with much of the site vacant. Former dwellings have been damaged and/or removed, with no current occupants. An existing residence on Francisco Avenue, tucked between Kerry 1 and 2, is under private ownership and not part of the project. The mostly rectangular shaped lots are generally flat with slightly rolling topography and mostly a mix of planted exotic trees and non-native grasses. The slightly rolling topography includes small areas of vernal pools, with some associated wetlands plants including special-status species.

The project proposes a development of 95 single-family residences with 42 second dwelling units. Project density would be 6.5 dwelling units (d.u.) per acre in keeping with the General Plan designated density range of 2 to 8 d.u. per acre. The proposed project is comprised of three contiguous subdivisions, Kerry Ranch 1, 2 and 3. Kerry Ranch 1 at the corner of San Miguel and Francisco Avenues is 3.95 acres that would be developed with twenty-five (25) single-family dwellings, twelve (12) of which would have second units. The smallest lot would be 4,040 square feet, with the largest being 6,632 spare feet. The average lot size is 4,754 square feet. Lot widths vary from 49 to 69 feet. There would be six (6) different unit types, each with three different architectural finishes. The Kerry Ranch 1 site would be somewhat expanded in size as a result of City standard street frontages that would reduce the existing public right-of-way at the corner of Francisco Avenue and San Miguel Avenue.

Kerry Ranch 2 to the north at 2191 Francisco Avenue is 5.24 acres that would be subdivided into thirty-five (35) single-family dwellings, with fourteen (14) second units. The smallest lot would be 3,590 square feet square feet, with the largest being 6,089 square feet. The average lot size is 4,878 square feet. Lots vary in width from 49 to 69 feet. There would be eight (8) different unit types, each with three different architectural finishes.

Kerry Ranch 3 at 2193 Francisco Avenue is 5.25 acres, the northern most of these three subdivisions comprising the Kerry Ranch project. The site would be developed as thirty-five (35) single-family residences, with sixteen (16) second units. The smallest lot would be 4,003 square feet, and the largest would be 6,755 square feet, for an average lot size of 4,889 square feet. Lots vary in width from 45 to 69 feet in width. There would be 8 unit types, each with three different architectural finishes.

The largest lots in all three subdivisions comprising the Kerry Ranch project are typically at corners to enhance streetscapes at intersections. Kerry Ranch 2 and 3 each have three 4-lot courtyard clusters. Additionally, the project architect has devised a 3-lot cluster with two outer lots that wrap around the back of a wide lot in the middle. Kerry Ranch 1 and 3 each have one of those 3-lot clusters, with Kerry Ranch 2 having two of them. Those clusters were designed to provide the internal streetscape with greater variation than would otherwise be the case. Minimum front setbacks include 6 feet for porches, 10 feet for residences, and 19 feet for garages. Rear setbacks are at least 15 feet for residences and 4 feet for rear yard garages. Interior setbacks are at least 8 feet for two-story elements and 4 feet for one-story elements, while exterior side yards are at least 10 feet.

Phasing of Kerry Ranch would proceed from south to north in numerical order of the three subdivisions comprising the overall project. Kerry Ranch 1 and then Kerry Ranch 2 would be designed so they could be free-standing on an interim basis until the next subdivision is constructed.

Off-site improvements are limited to frontage improvements within existing public rights-of-way and an interim pathway the applicant proposes to fund and construct on non-Kerry Ranch properties along the west side of Francisco Avenue up to the crossing to the Jack London school entrance on Francisco Avenue On site along the west side of Street "C" in Kerry Ranch 1 and 2, there would be 10-feet available for a multi-purpose pedestrian and bicycle path that could link with other segments to the north being considered by the City for improved circulation to/from the Jack London school site.

As noted above, the existing large radius curve in the northwest corner of San Miguel and Francisco Avenues would be modified to conform to City standards for such urban intersections. Consequently, some existing public right-of-way would be abandoned and become part of Kerry Ranch 1. On-site in the southwest corner of Kerry Ranch I is a detention pond, sized to handle run-off from all three subdivisions comprising the Kerry Ranch project.

The pond perimeter would be heavily landscaped so the area is attractive for nearby residences. Additionally, the pond design has been modified by the applicant in response to neighbor suggestions to provide some seasonally wet areas for vicinity wildlife. Maple, hackberry, oak and magnolia street trees are proposed. Double rows of red maples would be planted along frontages of both San Miguel and Francisco Avenues. Special landscape designs are included at corner lots on Francisco Avenue for. Special landscape plans have been prepared for both the 4-

lot courtyard clusters and the three-lot clusters. The courtyard clusters would have enhanced driveway paving. Different picket fence treatments along with entry trellises add interest to the streetscapes throughout Kerry Ranch.

Planning Applications
The applicant requests rezoning from OSC to PD, approval of a Conditional Use Permit for a small lot subdivision and approval of three Tentative Maps for Kerry Ranch 1, 2 and 3.

Mitigation Incorporated into the Project
The project proponent has incorporated into the project description mitigation measures from numerous site-specific studies cited in the Initial Study below. Additionally, the project proponent will implement all conditions imposed by the Development Advisory Committee.

Other Public Agencies Whose Approval Is Required
U.S. Army Corps of Engineers (USACOE)
U.S. Fish and Wildlife Service USFWS)
California Department of Fish and Game (CDFG)
North Coast Regional Water Quality Control Board (NCRWQCB)

EXHIBITS

EXISTING ZONING AND LAND USE MAP

NEIGHBORHOOD CONTEXT MAP

SITE ANALYSIS MAP

AREA CIRCULATION & STREETSCAPE PLANS

SITE PLAN-CONDITIONAL USE MAP

TENTATIVE MAPS (1, 2 & 3)

LANDSCAPE PLANS

ARCHITECTURAL PLANS

GENERAL PLAN CONSISTENCY ANALYSIS

DESIGN GUIDELINES CONSISTENCY ANALYSIS

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture Resources	☐ Air Quality
☒ Biological Resources	☐ Cultural Resources	☒ Geology /Soils
☐ Hazards & Hazardous Materials	☒ Hydrology / Water Quality	☐ Land Use / Planning
☐ Mineral Resources	☐ Noise	☐ Population / Housing
☐ Public Services	☐ Recreation	☐ Transportation / Traffic
☐ Utilities / Service Systems	☐ Mandatory Finding of Significance	

DETERMINATION

On the basis of this initial evaluation:

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

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

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

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at lest one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an EARLIER EIR or NEGATIVE DECLARATION pursuant to applicable legal standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Gillian Hayes

Signature

September 5, 2007

Date

Gillian Hayes, City Planner

EVALUATION OF ENVIRONMENTAL IMPACTS

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
I. AESTHETICS				
Would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Discussion:
Impact 4.3-B of the Santa Rosa 2020: General Plan Final EIR states "patterns of new development may alter the City's existing rural character and visual qualities." The General Plan Final EIR concluded that implementation of the following General Plan policies would result in less that significant impact for degradation of visual quality and rural character from development consistent with the General Plan policies:

- LUL-E-2: As part of planning and development review activities, ensure that projects, subdivisions, and neighborhoods are designed to foster livability.
- UD-F-2: Protect natural features such as topography and mature trees, and minimize grading of natural contours, in new residential developments.

Setting and Impacts
The site has no significant or unusual scenic vistas, being within the urban development area of the Santa Rosa General Plan 2020. The east-west section of Francisco Avenue to the north of Kerry Ranch that is designated a scenic roadway is not visible from any of the three properties comprising Kerry Ranch. The three properties were historically developed as small agricultural and rural residential sites. Remnants of prior improvements and mostly exotic tree plantings occur on the site.

The site improvements and the off-site improvements of San Miguel and Francisco Avenues would result in the removal of trees as documented in the Horticultural Associates Tree Preservation and Mitigation Reports for Kerry Ranch 1, 2 and 3. The project would result in the removal of all exotic 46 red gum Eucalyptus trees on Kerry Ranch 1, the 141 mostly exotic trees on Kerry Ranch 2, and the 28 mostly exotic trees on Kerry Ranch 3. Horticultural Associates recommended removal of all trees on the Kerry Ranch 1 and 2 sites due to hazardous structure and poor existing health of all the trees. Horticultural Associates recommended none of the trees on the Kerry Ranch 3 site for preservation, mostly due to tree conflicts with the proposed subdivision layout. No heritage native trees were identified for preservation. Ample street and yard tree plantings will replace removed trees on the Kerry Ranch site. The applicant has also offered to plant additional street trees on the east side of

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

Francisco Avenue opposite the Kerry Ranch sites if those owners agree. If additional trees are required consistent with City tree ordinance requirements, the applicant would plant trees at designated City locations or pay any in lieu fees due as required by the Final DAC report.

Mitigation Measures
N/A

(Sources: Cite source numbers)
1, 2, 3 and 4.

II. AGRICULTURE

Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

Discussion:
Prior to the project vicinity developing and annexing to the City during the past 20 years, the Kerry Ranch site was comprised of small, low intensity agricultural-rural residential properties. The area is now designated in the Santa Rosa General Plan for urban uses.

Setting and Impacts
The California Department of Conservation Important Farmland in California Map does not identify these properties as farmland of Federal or State importance. The Santa Rosa 2020 General Plan does not identify any Agricultural land of significance within the Urban Growth Boundary. This project is within the UGB and therefore will cause no impact to conversion of agricultural lands.

Mitigation Measures
None.

(Sources: Cite source numbers)
1.

III. AIR QUALITY

Would the project

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c. Result in a cumulatively considerable net increase any criteria pollutant for which the project region is non – attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

Discussion:
The City of Santa Rosa participates with the Bay Area Air Quality Management District (BAAQMD) to address improvements of air quality. The Pacific Ocean dominates the climate of Sonoma County as the summer winds blow contaminants south toward San Francisco and in the winter periods of stagnant air can occur, especially between storms. Air Quality in Santa Rosa has generally improved as motor vehicles have become cleaner, agricultural and residential burning has been curtailed, and consumer products have been reformulated or replaced.

Sonoma County is in attainment of federal standards and in compliance with the State Implementation Plan (SIP). The United States Environmental Protection Agency requires that air basins record no more than three exceedances of ozone at a single station, over a three-year period (no more than one exceedance per year, on average). Stations that record four or more exceedances in three years cause the region to violate the standard. According to the BAAQMD, pollutant monitoring results for the years 1996 to 2001 at the Santa Rosa ambient air quality monitoring station indicate that air quality in the project area has generally been good.

Construction-related emissions from the project could cause temporary adverse nuisance impacts to surrounding residential uses. Fine particulate matter associated with fugitive dust is the construction pollutant of greatest concern. Construction equipment would also produce exhaust emissions. The BAAQMD approved standard dust control practices would be required. Dust generated by construction activities will be mitigated through application of standard construction control measures of the City Code and conditioning of the project with those requirements.

The Santa Rosa 2020: General Plan Final EIR concludes that implementation of the many cited General Plan policies on pages 4-128 to 130 will minimize degradation of ambient air quality and reduce air quality impacts to a less than significant level. No air quality impacts are peculiar to the proposed Kerry Ranch project. The project is consistent with the Santa Rosa 2020: General Plan, and the General Plan Final EIR concluded that there were no significant adverse air quality impacts as a result of development consistent with the General Plan. Consistent with cited Air Quality mitigation measure and Santa Rosa 2020: General Plan Policy H-C-6, many of the Kerry Ranch residences include a potential second dwelling unit.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

Setting and Impacts
The project site is located in an urban area and within convenient proximity to public transit. With the implementation of standard City conditions related to dust control measures stemming from project construction activities, the potential for construction-period dust (particulate matter) impacts would be less than significant. The cumulative impact is not expected to be significant as the project is not proposed in conjunction with any other approved or planned construction activities in the area.

Mitigation Measures
None.

(Sources: Cite source numbers)
1 (GP pages 128-130)

IV. BIOLOGICAL RESOURCES

Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

Discussion:

The General Plan has characterized the project area as potentially containing wetlands and rare plants (vernal pool habitat). The project sponsor has hired qualified biologists to study the project sites, evaluate existing conditions, identify biotic impacts and design mitigation measures to satisfy the requirements of the U.S. Army Corps of Engineers (USACOE), U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Game (CDFG) and North Coast Regional Water Quality Control Board (NCRWQCB).

Setting and Impacts

A comprehensive Biological Assessment for Kerry Ranch 1, 2 and 3, dated June 2006, and revised May 29, 2007, and a later document entitled "Supporting Information, Application for a Permit to Discharge Fill into Seasonal Wetlands Roadside Ditches, Kerry Ranch Development Project" have been prepared by Dr. Ted P. Winfield, Ph.D. The Biological Assessment (BA) addresses the impacts of the Kerry Ranch residential development project' on biotic resources of concern that include suitable habitat for Sonoma sunshine (*Blennosperma bakeri*), and occupied habitat for Burke's goldfields (*Lasthenia burkei*). Rare plant surveys and protocol surveys for CTS were conducted at the Kerry Ranch project site during the 2005-2006 and 2006-2007 survey seasons. The more recent study assessed wetlands in the ditches along and off the Kerry Ranch project so as to be sufficient for the proposed permanent sidewalk at the project site and the interim walkway segments on the west side of Francisco Avenue north to the school crossing.

The Kerry Ranch project site consists primarily of non-native annual grasslands with seasonal wetlands scattered throughout the grassland. Exotic vegetation in the form of trees (primarily eucalyptus) and ornamental shrubs occur in association with an existing residence (Kerry Ranch 3) or in the vicinity of previously-demolished residences and other buildings (Kerry Ranch 2). Although the area likely supported vernal pools in the past, activities, such as disking and land leveling have altered the land and its topography and disturbed the pre-existing vernal pools and contributing watersheds. While there are still some areas that sustain ponding for an extended duration (several months), past disturbances have substantially impacted the plant communities found in these ponded areas.

Biological resource surveys have been conducted at the Kerry Ranch project site, including delineation of wetlands and other waters of the United States, special-status plant species surveys and protocol surveys for the CTS. The Kerry Ranch lands support a combined total of approximately 2.26 acres of wetlands and 0.04 acre of roadside ditches subject to the jurisdiction of the Corps of Engineers and State Water Resources Control Board – 0.76 acre of wetlands and 0.03 acre of roadside ditches at Kerry Ranch 1; 0.71 acre of wetlands and 0.013 acre of roadside ditches at Kerry Ranch 2; and 0.79 acre of wetlands and 0.003 acre of roadside ditches at Kerry Ranch 3. Protocol surveys for CTS were conducted in 2005/2006 and 2006/2007 with negative findings.

The design of the extended detention basin has been modified to incorporate two depressional features outside the low-flow channel in the basin bottom, which will retain water as the basin drains and mimic seasonal "wetlands." These "wetland" features will be constructed by over excavation of the basin bottom at two locations, creating an artificial water-restricting by compacting one foot of clay in the bottom of the excavated depressional area, and placing 0.5 to 0.8 foot of loam soil on top of the compacted clay. The side slopes will be as gentle as possible, as dictated by surrounding conditions in the bottom of the basin. These "wetlands" will then be inoculated using stockpiled surface soil material collected from the existing seasonal wetland located in the southwest corner of Kerry Ranch 1. The stockpiled surface soil will contain seed of the plant species currently present in the seasonal wetland. The stockpiled seeds will also be spread on the remainder of the basin bottom.

The slopes on the inside and outside of the basin will be vegetated with native trees and shrubs and with herbaceous species common in the region. An observation platform will be constructed near the basin access road to provide opportunities for local citizens to view the basin and "wetland" features constructed in the basin bottom.

Mitigation Measures
Mitigation for impacts resulting from the Kerry Ranch 1, 2 and 3 will consist of three components: mitigation of wetland impacts, preservation of endangered species habitat, and restoration of endangered plant species populations. The primary goals of the proposed mitigation measures are to compensate for the filling of wetlands, for loss of suitable habitat for Sonoma sunshine (Kerry Ranch 1) and occupied habitat of Burke's goldfields (Kerry Ranch 2 and 3).

Wetland mitigation for all three projects will take place at Hazel Mitigation Bank or other acceptable mitigation bank. Preservation of endangered species habitat for impacts to 0.76 acre of suitable (but unoccupied) habitat for Sonoma sunshine at Kerry Ranch 1 will take place at an acceptable bank with Sonoma sunshine credits. The Kerry Conservation Bank site, which contains 1.43 acres of seasonal wetland habitat that supports Burke's goldfields and Sonoma sunshine, will be used to satisfy the preservation requirement of Burke's goldfields habitat for Kerry Ranch 2 and 3.

The restoration component of the mitigation requirement for Kerry Ranch 1 for impacts to 0.76 acre of suitable but unoccupied habitat for Sonoma sunshine will consist of establishing 3,000 Sonoma sunshine plants in the wetlands created at the Hazel Mitigation Bank or other acceptable mitigation bank. The restoration component for Kerry Ranch 2 for impacts to 0.71 acre of suitable and occupied habitat for Burke's goldfields will be achieved by establishing 6,000 Burke's goldfields in at least 1.42 acres of wetlands created at Alton North Conservation Bank and Alton South Conservation Bank, or another acceptable bank with Burke's goldfields credits to mitigate for impacts to 0.71 acre of wetlands. Finally, the restoration component of the mitigation requirement for Kerry Ranch 3 for impacts to 0.79 acre of occupied Burke's goldfields habitat will consist of establishing 6,000 Burke's goldfields plants in at least 1.58 acres of wetlands created at Alton North Conservation Bank or other acceptable bank with available Burke's goldfields credits.

All impact assessment and mitigation measures take into consideration any wetlands in the ditches along the west side of Francisco Avenue that would be affected by permanent sidewalks at Kerry Ranch or the interim walkway segments proposed off the Kerry Ranch site to connect with the school crossing to the north. The interim walkway segments off site will be designed to meet all requirements of the RWQCB.

The referenced Kerry Ranch Biological Assessment contains more detailed information about the Kerry Ranch project site wetlands and species of concern and about locations where mitigation for Kerry Ranch biotic impacts will occur.

(Sources: Cite source numbers)
1, 5, 6, 7, 8, 9, and 10.

V. CULTURAL RESOURCES

Would the project:

a.	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Discussion:

The project site is located in an urban area and has historical agricultural (grazing) and residential uses which resulted in site disturbance, minimizing any potential for presence of historical/cultural and archaeological resources. There are no unique geological or paleontological features on the project site.

The Kerry Ranch applicant had archaeological and historical reports prepared for the project, consistent with General Plan 2020 Policy HP-A-1: "Review proposed developments and work in conjunction with Sonoma State University's Northwest Information center to determine whether sites contain known Native American resources or have the potential for such resources."

Setting and Impacts
ASI Archaeology and Cultural Resources Management prepared reports for each of the Kerry Ranch sites. All reports concluded that there were no significant archaeological resources. Likewise, the three reports prepared by Clark Historic Resource Consultants, Inc., for Kerry 1, 2 and 3 concluded that there were no historic resources to evaluate on the Kerry 1 and 2 sites. For the Kerry 3 property, the subject report concluded that the former Calvin and Gladys Tabor Poultry Farmstead is not eligible for inclusion in the California Register, National Register, or local listing or designation.

Mitigation Measures
A standard City condition of approval requires compliance with ASI recommendations that "In the event that any remains of prehistoric or historic human activities are encountered during project-related activities, work in the immediate vicinity of the finds shall halt and the contractor shall immediately notify the project superintendent and the City of Santa Rosa liaison. Work shall not resume until a qualified archaeologist or historic archaeologist, as appropriate, approved by the City of Santa Rosa, has evaluated the situation and made recommendations for treatment of the resource, which recommendations are carried out. If human burials are encountered, the contractor must also contact the County Coroner" and "if human remains are found, the stipulations presented in Sections 5097.54 and 507.98 of the Public Resources Code shall be followed."

(Sources: Cite source numbers):
1, 11, 12, 13, 14, 15, 16 and 17.

VI. GEOLOGY AND SOILS

Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most	☐	☐	☐	☒

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				
ii. Strong seismic ground shaking?	☐	☒	☐	☐
iii. Seismic related ground failure, including liquefaction?	☐	☐	☐	☒
iv. Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on, or off, site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☒	☐	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

Discussion:

The City of Santa Rosa is subject to geological hazards related primarily to seismic events (earthshaking) due to presence of active faults. The project site is generally flat and does not contain evidence of any geologic activities such as faulting and landsliding. Consistent with Santa Rosa General Plan 2020 Final EIR mitigation measure, the applicant engaged geotechnical consultants to prepare evaluations of the Kerry Ranch properties.

Setting and Impacts

The Geotechnical Investigation Reports by Kleinfelder for Kerry Ranch 1 and 2 properties found that the sites are suitable for residential development from a geologic and geotechnical viewpoint provided the recommendations presented in the reports are incorporated into the development design and construction. The main geotechnical engineering considerations affecting development design and construction are the existence of porous/compressible and expansive surface and near-surface soils; possible seasonal high (perched) groundwater; and the potential for strong seismic ground shaking. The reports also recommended that a corrosion specialist be contracted to review Kleinfelder results and make recommendations for steel and concrete protection.

The Geotechnical Exploration report prepared by ENGEO for Kerry Ranch 3 found that the project site is suitable for the proposed residential construction from a geotechnical standpoint and presented recommendations regarding various seismic hazards, expansive soil, differential soil materials and corrosion potential.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

Mitigation Measures:
VI. A The Santa Rosa 2020 General Plan Final EIR mitigation measures for Geology and Seismicity impacts 4.11-A and 4.11-B that reduce erosion and seismic risk to insignificant levels and are routinely required as conditions of approval by the City for new development.

VI. B The specific recommendations of the two Kleinfelder and ENGEO reports are also included as mitigation measures to be incorporated into project conditions of approval.

(Sources: Cite source numbers)
1, 4, 18, 19 and 20.

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. 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?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands	☐	☐	☐	☒

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

are adjacent to urbanized areas or where residences are intermixed with wildlands?

Discussion:
The applicant had Phase I Environmental Site Assessment reports prepared for the Kerry Ranch sites by Kleinfelder.

Setting and Impacts

The proposed construction and use of 98 residential units is not expected to result in significant use or storage of hazardous materials. The project site is not listed on any sites maintained by the State of California (Regional Water Control Board, Department of Toxic Substances Control, and Integrated Waste Management Board). The project site is located within one-half mile of the Piner High School and is approximately one-quarter mile south of Jack London Elementary School; however, the project is not expected to create an impact to the schools since the proposed construction and residential use of the project site will not include the use or storage of hazardous materials. The project site is not located within two miles of the Sonoma County Airport. Emergency access will be available through street connections to San Miguel Avenue and Francisco Avenue. The project site is not located in an area containing wildland vegetation, and is not subject to wildland fire hazards.

The 11/4/04 Kleinfelder report prepared for the Kerry Ranch 1 site "revealed no evidence of Recognized Environmental Conditions that have impacted or have the potential to impact the site." The 12/22/04 Kleinfelder report prepared for the Kerry Ranch 2 site reached the identical conclusion, as did the 3/16/06 Kleinfelder report for the Kerry Ranch 3 site.

Mitigation Measures
None.

(Sources: Cite source numbers)
1, 21, 22 and 23.

VIII. HYDROLOGY AND WATER QUALITY

Would the project:				
a. Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion	☐	☐	☐	☒

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
or siltation on- or off- site?				
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f. Otherwise substantially degrade water quality?	☐	☐	☐	☒
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Discussion:

The project will be served by City water and wastewater services. Storm drainage improvement will be constructed to connect site drainage to City systems. The project site is not located in a 100-year floodplain.

As a result of there being swales that seasonally pond water on the Kerry Ranch sites and adjacent and nearby ditches along the street frontages, the applicant has employed qualified biologists to evaluate the property for the occurrence of wetlands subject to State or Federal jurisdiction and for any related or other significant biotic resources. The applicant and the project team have consulted with staff of the U.S. Army Corps of Engineers (USACOE), the U.S. Fish and Wildlife Service (USFWS), the North Coast Regional Water Quality Control Board (NCRWQCB) and the California Department of Fish and Game (CDFG).

Setting and Impacts

The Kerry Ranch 1 site is relatively flat. The elevation drop across the property ranges from the northeast to southwest corner and is a little more than one foot. The topography is characterized by mounds and depressional swales but is, nonetheless, relatively flat with little overall slope. Elevations in the upland portions of all the property vary by less than two feet. The natural drainage pattern has been substantially modified.

The Kerry Ranch 2 project site is relatively flat. The site slopes generally to the west but the total elevation drop is generally less than two feet. Remnants of the natural micro-topography are present primarily in the western half of

the Kerry 2 project site; the micro-topography on the eastern half remains partially intact but appears to have been modified when homes and other structures were built.

No natural drainage pattern remains in the eastern half of the Kerry 2 site. Natural drainage has been eliminated as a result of residential development. In the western half of the site, water stands over what appears to be a continuous swale running across the property in a north-south direction and connecting vernal pools. Water that leaves the site to the north enters the Kerry Ranch 3 site but flows only into the vernal pool at the property line. Water flowing to the south enters the Kerry Ranch 1 site and into a larger area of vernal pool-seasonal wetland habitat.

The Kerry Ranch 3 project site is relatively flat. The site slopes generally to the west but the total elevation drop across the site is less than two feet. Remnants of the natural micro-topography remain partially intact but appear to have been modified when homes and other structures were built on the site and other grading was done to provide access and parking areas and as part of the general landscaping and planting effort around the home and garage structures.

The entire drainage pattern of Kerry Ranch 3 has been modified. The natural drainage pattern at one time contained vernal pools that were physically and hydrologically connected with those on the nearby Olaris and Jacobson properties. Although wetland habitat crosses the property line, and overland (sheet) flow may run between the properties, concentrated surface water no longer flows between the properties and the vernal pools that once straddled the Kerry Ranch 3, Olaris, and Jacobson properties have been truncated at the property lines.

The extended detention basin that will be constructed at the southwest corner of Kerry Ranch 1 is designed to treat storm water and limit channel forming discharge (limit post-construction peak flow from project site) as required by North Coast Regional Water Quality Control Board regulations. This extended detention basin will be a regional water quality treatment feature that has been sized to provide required detention and treatment for storm water runoff from Kerry Ranch 1, Kerry Ranch 2 and Kerry Ranch 3. Treated storm water will be released from the basin to the existing underground storm drain system beneath San Miguel Avenue.

The project is not expected to result in a violation of water quality or waste discharge standards. The project will be conditioned to a obtain storm water discharge permit from the Regional Water Quality Control Board and to implement best management practices as a means of reducing potential grading/drainage and downstream sedimentation impacts. These storm drainage system improvements will primarily be on-site, and would not substantially site or area drainage patterns. The applicant has provided a preliminary storm drainage plan that proposes use of a storm water detention pond as a means of limiting first-flush pollutants. The project site is not located within a 100-year floodplain and would not present a flooding danger to project residents. No water wells would be utilized as part of the project as the residential development would be required to connect to City water services.

Mitigation Measures

A detention pond has been designed to meet NCRWQCB requirements for post construction storm water. The landscaping and design of the pond will provide some habitat values and wildlife due to use of native plants and trees and incorporation of some areas to remain wet longer so as to broaden the habitats created by the pond.

(Sources: Cite source numbers)

1, 4, 8, 9, 10 and 24.

IX. LAND USE AND PLANNING

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion:
The Santa Rosa 2020: General Plan designates the entire project site Low Density Residential (2-8 DU/acre), which was evaluated in the General Plan certified Final EIR. The General Plan also contains language in its Housing Element encouraging second units. Policy H-C-7 on page 4-72 of the General Plan states: "Promote development of second units."

The application proposes rezoning of the property from its OSC designation to R-1-6 to support the planned residential subdivision. The site was prezoned to the IOS (Interim Open Space) District and annexed to the City in 2000. The IOS District was an interim zoning district applied at the time of annexation with the purpose of recognizing that the property may contain environmental resources such as wetlands and rare plants. The IOS District essentially restricted development pending the disclosure and adequate protection of natural resources or until such time as resource agency clearance could be obtained. It was recognized that properties may rezone to be consistent with the underlying Residential, Low Density General Plan land use designation should natural resources not be discovered or should clearance from resource agencies be granted.

Setting and Impacts

The proposed residential project is consistent with the General Plan, which designates the site Low Density Residential. The proposed rezoning action would remove the OSC designation (which identifies the potential presence of rare plants and natural resources) to R-1-6. The R-1-6 zone would be consistent with the range of other residential subdivisions in the area, while the presence of seasonal wetlands (0.71 acre, per the wetlands delineation study) is limited. Applicable General Plan policies include:

> *Section 2.4, Low Density Land Use Designation: Development is intended for single-family residential dwellings, with a density range of 2-8 units/gross acre.*
>
> *LUL-E-2: As part of planning and development review activities, ensure that projects, subdivisions, and neighborhoods are designed to foster livability. (This includes use of different housing types and locations to accommodate a diverse range of needs, and use of quiet, interconnected neighborhood streets to accommodate pedestrians and bicyclists.)*
>
> *LUL-F-1: Do not allow development at less than the minimum density prescribed by each residential land use classification.*
>
> *LUL-F-3: Maintain a balance of various housing types in each neighborhood and ensure that new development does not result in undue concentration of a single housing type in any one neighborhood.*

The project would result in a density of 6.5 units/gross acre, within the prescribed range of the General Plan, and would be in keeping with the character of other residential projects in the immediate area. The project site is located along public streets (San Miguel Avenue and Francisco Avenue) that do not divide the established neighborhood. The project would not result in a conflict with any habitat conservation or natural community conservation plans.

At the time of the adoption of the General Plan, the City had an adopted second unit ordinance allowing second units on single family residential lots. Section 20-03.112B of Ordinance No. 3030, adopted March 16, 1993, provided that "A second dwelling unit may be considered a residential use that is consistent with the exisiting General Plan and zoning designation for the lot." The City's current Second Unit Ordinance reiterates in Section 20.42.130B3 the City's long consistent regulatory position that a second dwelling unit "is not required to meet the density requirements of the General Plan but shall otherwise be consistent."

Thus, the establishment of second dwelling units, including those proposed by the Kerry Ranch project, was reasonably foreseeable for purposes of cumulative impact analysis at the time of the adoption of the General Plan and the certification of the General Plan 2020: Final EIR, including its cumulative impact analysis. The 95 single family residential lots and accompanying 42 second units at Kerry Ranch were, in effect, anticipated by the General Plan 2020. Thus, the proposed project is wholly consistent with the development density designation of the 2020 General Plan, hence qualifying the Kerry Ranch project for consideration per Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines.

The project would provide permanet sidewalks along its street frontages and interim walkway segments on the west side of Francisco Avenue north to connect with the school crossing.

Mitigation Measures
None.

(Sources: Cite source numbers)
1, 2 and 3.

X. MINERAL RESOURCES

Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion:
The project site does not contain any locally- or regionally-significant mineral resources.

Setting and Impacts
The development of the project site with residential uses will not create an adverse impact upon locally- or regionally-significant resources since there are no such resources located on the project site.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

Mitigation Measures
None.

(Sources: Cite source numbers)
1.

XI. NOISE

Would the project result in:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☐	☒
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion:
Residential uses do not typically generate substantial sources of noise. There are no major sources of noise generation near the project site. The project would result in short term noise impacts related to construction of the proposed residential units.

The Santa Rosa 2020: General Plan Final EIR found that with implementation of all mitigation measures therein, ambient noise levels along highways and roadways within the City would increase to less than significant levels.

Setting and Impacts
Neither San Miguel nor Francisco Avenues are streets with traffic levels high enough now or in the future to cause increased noise levels requiring special noise mitigation for new adjacent development.

The project will result in short-term noise impacts related to site grading and construction activities. Standard City conditions of project approval limit the hours of construction to 7 a.m. to 7 p.m. Monday through Friday and

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

8 a.m. to 6 p.m. Saturdays. No construction is permitted on Sundays and holidays. The project site is not located near a public or private airport, and therefore would not be subject to air-traffic related noise impacts.

Mitigation Measures
None of the General Plan Final EIR mitigation measures for noise impacts applies to the Kerry Ranch project.

(Sources: Cite source numbers)
1 and 3.

XII. POPULATION AND HOUSING

Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion:
The proposed housing at Kerry Ranch is consistent with the Low Density Residential land use designation in the Santa Rosa General Plan for the site.

The project would not induce substantial or unplanned levels of residential growth. The site was duly considered for the proposed levels of residential development (density) as part of the update to the City's General Plan.

Setting and Impacts

The project site's General Plan designation supports the proposed residential development. The existing residences located on the project site would be demolished to facilitate development of the proposed 95 lots. Demolition of these two residences would not constitute displacement of a substantial number of existing housing units or residents.

Mitigation Measures
None.

(Sources: Cite source numbers)
1, 2, and 3.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

XIII. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which 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?	☐	☐	☐	☒
b. Police protection?	☐	☐	☐	☒
c. Schools?	☐	☐	☐	☒
d. Parks?	☐	☐	☐	☒
e. Other public facilities?	☐	☐	☐	☒

Discussion:
The project site is located within the City of Santa Rosa and would receive all necessary public services.

The City Council considers the appropriate levels of service and allocates funding to provide these services through the annual review of the City budget. Recently, some projects have been conditioned with additional requirements in areas underserved by fire, police and/or emergency services and facilities. At the time of project application, such considerations had not been made for the Kerry Ranch area.

Fire protection services will be provided by the City of Santa Rosa. The Fire Department will impose conditions of, including provision of a fire flow analysis to ensure adequate water pressure and flow rates. Police protection services will be provided by the City Police Department, who will impose conditions regarding use of security night lighting and construction security. Evidence of school impact fees would be made to the applicable school district offices (grades K-6 by the Piner-Olivet Union School District, and Santa Rosa City Schools for grades 7-12) prior to City issuance of any building permits. Parks impacts would be addressed through payment of City impact fees. Electrical and gas facilities would be constructed by the project developer, with service provided by Pacific Gas and Electric Company.

Setting and Impacts
Refer to General Plan 2020 Final EIR.

Mitigation Measures
None .

(Sources: Cite source numbers)
1 and 4.

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

XIV. RECREATION

Would the project:

a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion

No on-site park or recreational facilities are proposed with the project. The project would provide permanent sidewalks along its street frontages and interim walkway segments off the Kerry Ranch site to connect with the school crossing to the north on Francisco Avenue that provide access to Jack London School, its recreation facilities and the adjacent park. A ten-foot concrete multi-purpose pedestrian and bicycle pathway would also be included on the west side of Kerry Ranch 2 and 3's "C" Street to connect with possible future segments to the north.

Setting and Impacts

The project site is approximately one-quarter mile north of the City's Pioneer Park on Peterson Lane, which is accessible to project residents by foot and bicycle. Additionally, the General Plan proposes construction of a new Community Park northwest of the project site by behind Jack London School. The project would be required to make impact fee payments to the City's Recreation and Parks system to address increased demand on park facilities resulting from the creation of 95 new residences. Fee payments are required at time of building permit issuance. The Recreation and Parks Department will impose a condition to ensure developer-based funding is used to maintain the proposed use of the detention pond on the project site.

Mitigation Measures

None.

(Sources: Cite source numbers)

1, 2 and 4.

XV. TRANSPORTATION/TRAFFIC

Would the project:

a. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☐	☒
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management	☐	☐	☐	☒

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
agency for designated roads or highways?				
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e. Result in inadequate emergency access?	☐	☐	☐	☒
f. Result in inadequate parking capacity?	☐	☐	☐	☒
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

Discussion:
W-Trans prepared a Traffic Impact Study dated June 29, 2007, for all three phases of Kerry Ranch development. The traffic study was completed in accordance with previous analyses for the City of Santa Rosa and standard traffic engineering techniques and standard criteria.

Setting and Impacts
The W-Trans Traffic Impact Study assumed full build-out of all three phases of the Kerry Ranch project, including all of the second units. The Study evaluated the project area with special emphasis on local intersections as required by City staff. Additionally, levels of service on the roadway segments of Fulton Road from San Miguel Avenue to Piner Road and of Piner Road from Fulton Road to Marlow Road were analyzed. Weekday a.m. and p.m. peak hours were chosen for analysis.

The Study found that the Kerry Ranch project as proposed is consistent with the City's previous General Plan traffic analyses. Planned improvements in the study area will address existing level of service deficiencies, and the City will need to reserve right-of-way at Fulton Road/Piner Road for turn lanes to address the projected LOS E conditions there.

The Kerry Ranch project as a whole is expected to generate approximately 1,185 new daily trips, including 94 trips during the a.m. peak hour and 121 trips during the p.m. peak hour assuming that all potential second units are occupied and generate trips in a manner consistent with apartments. The Report found that the project is expected to have less-than-significant impacts on all studied intersection and roadway levels of service. Additionally, the Report concludes that the Kerry Ranch sites' circulation system is expected to operate acceptably.

For traffic calming, Kerry Ranch will include one raised intersection along Francisco Avenue as recommended by staff and in response to the Planning Commission's earlier request for traffic calming in the Kerry Ranch vicinity . Kerry Ranch home designs along Francisco Avenue would include front doors, porches and landscaped front yards to add to the Francisco Avenue traffic calming with such front-on lots.

Neighborhood interest in pedestrian, bicycle and school circulation has led to the applicant and City staff considering various options for achieving such circulation elements. The Kerry Ranch applicant proposes that the

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

Discussion:

The following findings are based on the Initial Study above.

Setting and Impacts
As detailed in the Biological Resources section above, the potential for significant adverse impacts on special status plant species and CTS would be mitigated, with the project applicant coordinating to meet all requirements of the USACOE, USFWS, CDFG and NCRWQCB, with compliance to be demonstrated prior to project construction. Off-site mitigation has been designed to reduce all potential biolgical resource impacts to less than significant levels. Tree removal mitigation is incorporated into the proposed project with its on-site tree plantings over and above those routinely required by the City. Additionally, the project applicant has offered to plant additional street trees across Francisco Avenue from the Kerry sites where proeprty owners agree. Applicant has agreed to pay n lieu fees if needed.

Mitigation Measures
Refer to Biological Resources mitigation measures above.

(Sources: Cite source numbers)
8, 9, 10, 11, 12, 13, 14, 15, 16 and 17.

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? ☐ ☐ ☐ ☒

Discussion:

The project does not have the potential to create impacts which are individually limited but cumulatively considerable. The environmental effects of the project are generally negligible and will be mitigated through standard City construction standards and practices and, in the case of biological resources, through mitigation measures contained in this Initial Study. Traffic impacts are not anticipated to result in adverse cumulative conditions; the City has adopted circulation policies as part of its General Plan Transportation Element that regulates traffic movement and requires construction of project improvements to ensure traffic safety. Long-term traffic impacts related to General Plan buildout (2020 scenario) and cumulative traffic conditions will be

addressed by ongoing City efforts to pursue alternative transportation modes, including increased use of public transit and other Transportation Systems Management methods.

No impacts or changes other than those already assessed in the Santa Rosa 2020 General Plan Final EIR have been identified. The Kerry Ranch project is consistent with the development density designation of the General Plan and qualifies for consideration under Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines. Those sections do not require and, in fact, preclude further environmental review other than that related to effects that:

- are peculiar to the project or site;
- are not analyzed as significant in the prior General Plan Final EIR;
- are potential significant off-site or cumulative impacts not discussed in the General Plan EIR; or
- are previously identified significant effects which, as a result of substantial new information which was not known at the time the General Plan EIR was certified, are determined to have a more severer adverse impact than discussed in the prior General Plan EIR.

For Kerry Ranch, the above Initial Study has found no significant impacts or changes peculiar to the project or site that cannot be mitigated to levels less than significant. Refer specifically to the Biological Resources and Hydrology/Water Quality sections above. All other potentially significant off-site or cumulative impacts or changes have been assessed in the prior Final EIR for the General Plan 2020. No other or different significant and unavoidable impacts or changes not discussed in the General Plan 2020 Final EIR have been identified for development in the northwest area of Santa Rosa.

Mitigation Measures
None.

(Sources: Cite source numbers)
1.

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

Discussion:
No project effects were found in the Initial Study above that would cause substantial adverse effects on human beings, either directly or indirectly. Non-project specific cumulative effects analysis is included in the Santa Rosa 2020: General Plan Final EIR.

Setting and Impacts
N/A.

Mitigation Measures
None.

(Sources: Cite source numbers)
All.

APPENDIX

SOURCE REFERENCES

The following is a list of references used in the preparation of this document. Unless attached herein, copies of all reference reports, memorandums and letters are on file with the City of Santa Rosa Department of Community Development. References to Publications prepared by Federal or State agencies may be found with the agency responsible for providing such information.

1. GP 2020 and GP 2020 EIR
2. City Zoning Code
3. Project Plans
4. Project Final Development Advisory Committee Report dated August 29, 2007
5. "Tree Preservation and Mitigation Report for Kerry Ranch I" by Horticultural Associates, dated 2/27/06
6. "Tree Preservation and Mitigation Report for Kerry Ranch II" by Horticultural Associates, dated 2/27/06
7. "Tree Preservation and Mitigation Report for Kerry Ranch III" by Horticultural Associates, dated 2/27/06
8. Biological Assessment Kerry Ranch 1, 2, and 3" by Ted. P. Winfield, Ph.D., dated 6/06
9. Supporting Information, Application for a Permit to Discharge Fill into Seasonal Wetlands Roadside Ditches, Kerry Ranch Development Project by Ted. P. Winfield, Ph.D., dated 5/07
10. California Tiger Salamander Survey 2005/2006—2006/2007 Kerry Ranch Proejct Sites Report by Monk & Associates, Inc., dated May 1, 2007.
11. "Archaeological Investigation, Kerry Ranch Phase I" by ASI Archaeology and Cultural Management, dated 8/26/05
12. "Archaeological Investigation, Kerry Ranch Phase 2" by ASI Archaeology and Cultural Resources Management, dated 7/1/05, with addendum dated 8/18/05
13. "Kerry Ranch II Archaeological Investigation report Addendum" by ASI Archaeology and Cultural Resources Management, dated 8/18/05
14. "Archaeological Investigation, Kerry Ranch Phase 3" by ASI Archaeology and Cultural Resources Management, dated 2/1/06
15. "Kerry I: 2245 San Miguel Avenue, Santa Rosa" by Clark Historic Resource Consultants, Inc., dated 8/9/05
16. "Study to Identify Historic Resources for Kerry II: 2191 Francisco Ave., Santa Rosa" by Clark Historic Resource Consultants, Inc., dated 8/29/05
17. "A CEQA Review and Evaluation for Significance, former Calvin and Gladys Tabor Poultry Farmstead (Craigie) 2193 Francisco Avenue" by Clark Historic Resource Consultants, Inc., dated 2/06

18. "Geotechnical Investigation Report Proposed Kerry Ranch Subdivision" (Kerry I) by Kleinfelder, dated May 18, 2005

19. "Geotechnical Investigation Report Kerry Ranch II Subdivision, 2191 Francisco Ave." by Kleinfelder, dated 9/21/05

20. "Geotechnical Exploration Kerry Ranch III" by ENGEO, dated 7/7/06

21. "Phase I Environmental Site Assessment 2245 San Miguel Avenue" (Kerry I) by Kleinfelder, dated 11/4/04

22. "Phase I Environmental Site Assessment 2191 Francisco Avenue" (Kerry II) by Kleinfelder, dated 12/22/04

23. "Phase I Environmental Site Assessment 2193 Francisco Avenue" (Kerry III) by Kleinfelder, dated 3/16/06

24. "Preliminary Storm Water Mitigation Plan for Kerry Ranch Subdivision", by Civil Design Consultants, Inc., dated 11/06

25. "Traffic Impact Study for Kerry Ranch (Phases 1, 2 and 3), by W-Trans, dated 6/29/07

PROJECT SPONSOR'S INCORPORATION OF MITIGATION MEASURES

As the project sponsor or the authorized agent of the project sponsor, I, Harvey O. Rich, undersigned, have reviewed the Initial Study for the Kerry Ranch project and have particularly reviewed all mitigation measures and monitoring programs identified herein. I accept the findings of the Initial Study and mitigation measures and hereby agree to modify the proposed project applications now on file with the City of Santa Rosa to include and incorporate all mitigation measures and monitoring programs set out in this Initial Study.

Kerry Ranch LLC 9/6/07

Property Owner (authorized agent) Date

By Harvey O. Rich
Managing Member

DETERMINATION FOR PROJECT

On the basis of this Initial Study and Environmental Checklist I find that the proposed project (choose the appropriate text):

☐ could not have a Potentially Significant Effect on the environment. A Mitigated Negative Declaration will be prepared.

☒ could have a Potentially Significant Effect on the environment; however, the aforementioned mitigation measures to be performed by the property owner (authorized agent) will reduce the potential environmental impacts to a point where no significant effects on the environment will occur. A Mitigated Negative Declaration will be prepared.

NOTE: Project Proponent agrees to all mitigation measures in draft IS/MND. After review of the staff final version of the IS/MND, it is expected that the project proponent will sign and date this declaration.

Gillian Hayes — September 5, 2007

Signature — Date

Gillian Hayes — City Planner

Printed Name — Title

REPORT AUTHOR:
Gillian Hayes, Planner
City of Santa Rosa, Community Development Department.

Attachments

BIOLOGICAL ASSESSMENT FOR THE KERRY RANCH PROJECT SANTA ROSA, CA

Prepared for:

Kerry Ranch, LLC
336 Bon Air Center, Box 115
Greenbrae, CA 94904
Mr. Harvey O. Rich, Managing Member

Prepared by:

Ted P. Winfield, Ph.D.
Ted Winfield & Associates
1455 Wagoner Drive
Livermore, CA 94550

June 2006
Revised July 13, 2007

Table of Contents

List of Figures

1.0 INTRODUCTION

1.1 DESCRIPTION OF PROPOSED ACTION

This Biological Assessment (BA) addresses the impacts of the Kerry Ranch project, located in the western part of the City of Santa Rosa (Figure 1), on special-status species that may occur at the project site. The resources of concern include habitat for the endangered plant species Sonoma sunshine (*Blennosperma bakeri*) and Burke's goldfields (*Lasthenia burkei*), and the endangered California tiger salamander (*Ambystoma californiense*).

Project Description and Location. The Kerry Ranch project is a residential subdivision that will be constructed in three phases. The first phase (Kerry Ranch 1) will consist of between 25 and 27 single-family residences and related infrastructure constructed on the 4.15-acre site (Figure 3). The Kerry Ranch 1 site is located at 2181 Francisco Avenue, Santa Rosa (APN 034-041-012). The main access to the development will be from Francisco Avenue, and this street will turn to the north and connect Kerry Ranch 1 with the Kerry Ranch 2 project site. A short street will run to the west from the main street and connect with the future development on the neighboring Elordi property.

The second phase (Kerry Ranch 2) will consist of 35 single-family residential units and related infrastructure constructed on approximately 5.24 acres (Figure 4). The Kerry Ranch 2 site is located at 2191 Francisco Avenue, Santa Rosa (APN 034-022-001). There will be one north-south street that connects Kerry Ranch 2 with Kerry Ranch 1 to the south and Kerry Ranch 3 to the north. There will be another road that accesses Kerry Ranch 2 from Francisco Avenue (continuation of and existing street -- Claiborne Circle) that runs to the western boundary of the site then turns north and provides access to Kerry Ranch 3.

The third phase (Kerry Ranch 3) will consist of 35 single-family residential units and related infrastructure constructed on approximately 5.25 acres (Figure 5). Kerry Ranch 3 is located at 2193 Francisco Avenue, Santa Rosa (APN 034-022-002). Access to Kerry Ranch 3 will consist of two streets from the south (Kerry Ranch 2) and an east-west street running from Francisco Avenue to the north-south street along the western border of Kerry Ranch 3.

1.2 PROJECT SCHEDULE AND PHASING

The Kerry Ranch project will be constructed in three phases: Kerry Ranch 1, Kerry Ranch 2 and Kerry Ranch 3. Construction of Kerry Ranch 1 is scheduled to begin in the summer of 2007. Kerry Ranch 2 construction will begin in the spring of 2008, and Kerry Ranch 3 will be constructed in late spring or summer of 2008 or spring 2009.

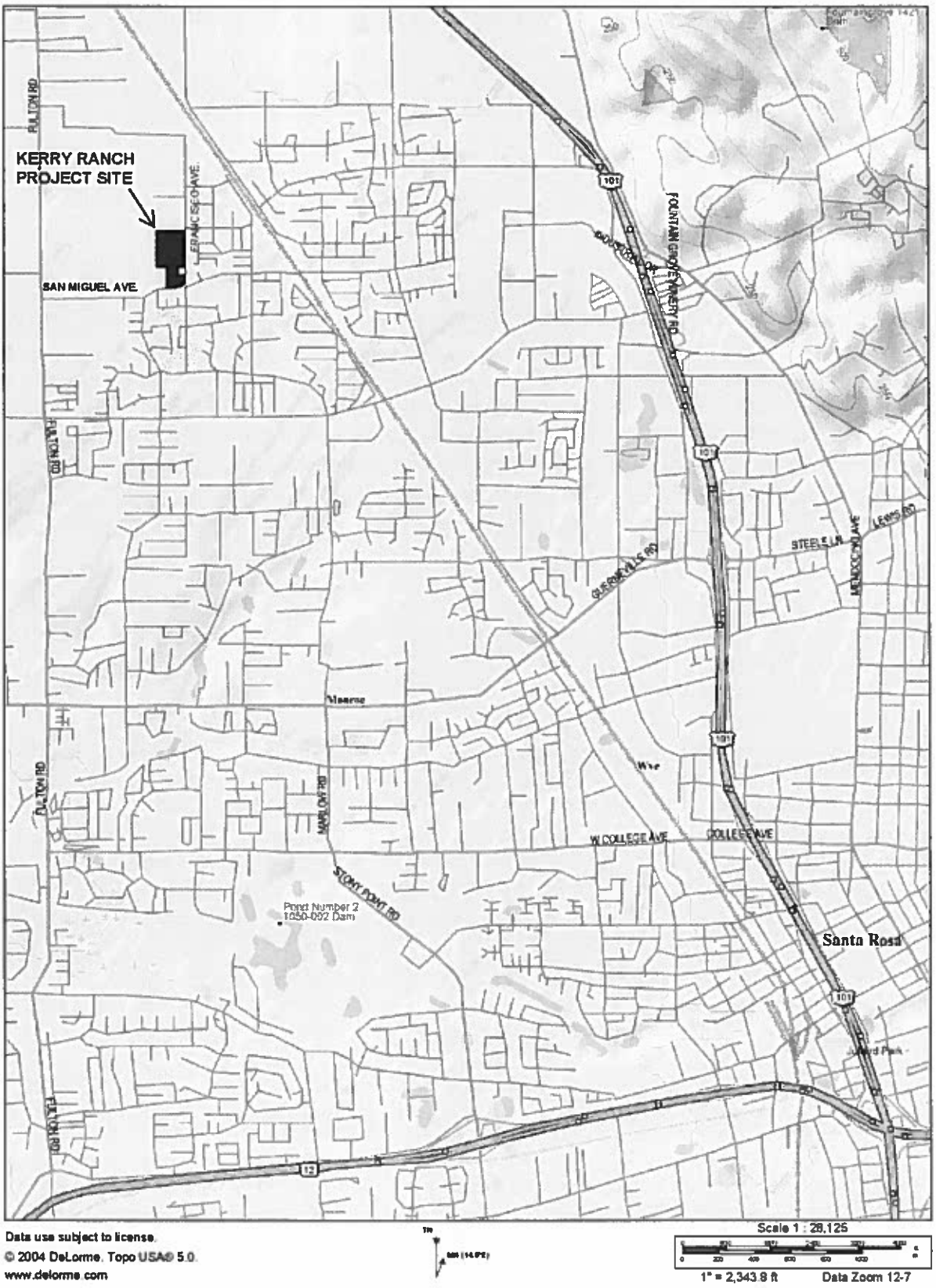

Figure 1. Location of Kerry Ranch project site.

Figure 2. Kerry Ranch project vicinity map.

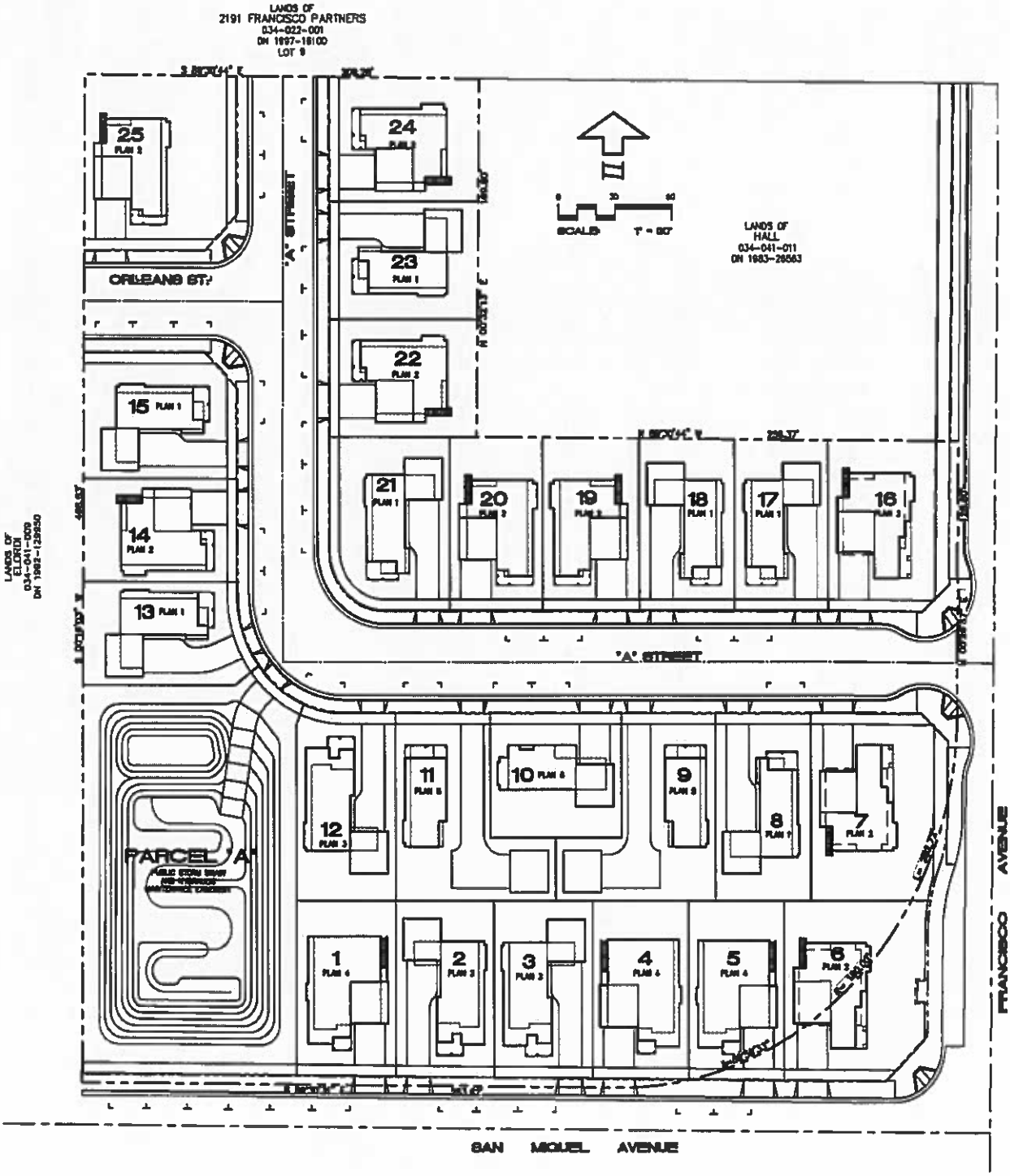

Figure 2. Site plan for Kerry Ranch 1.

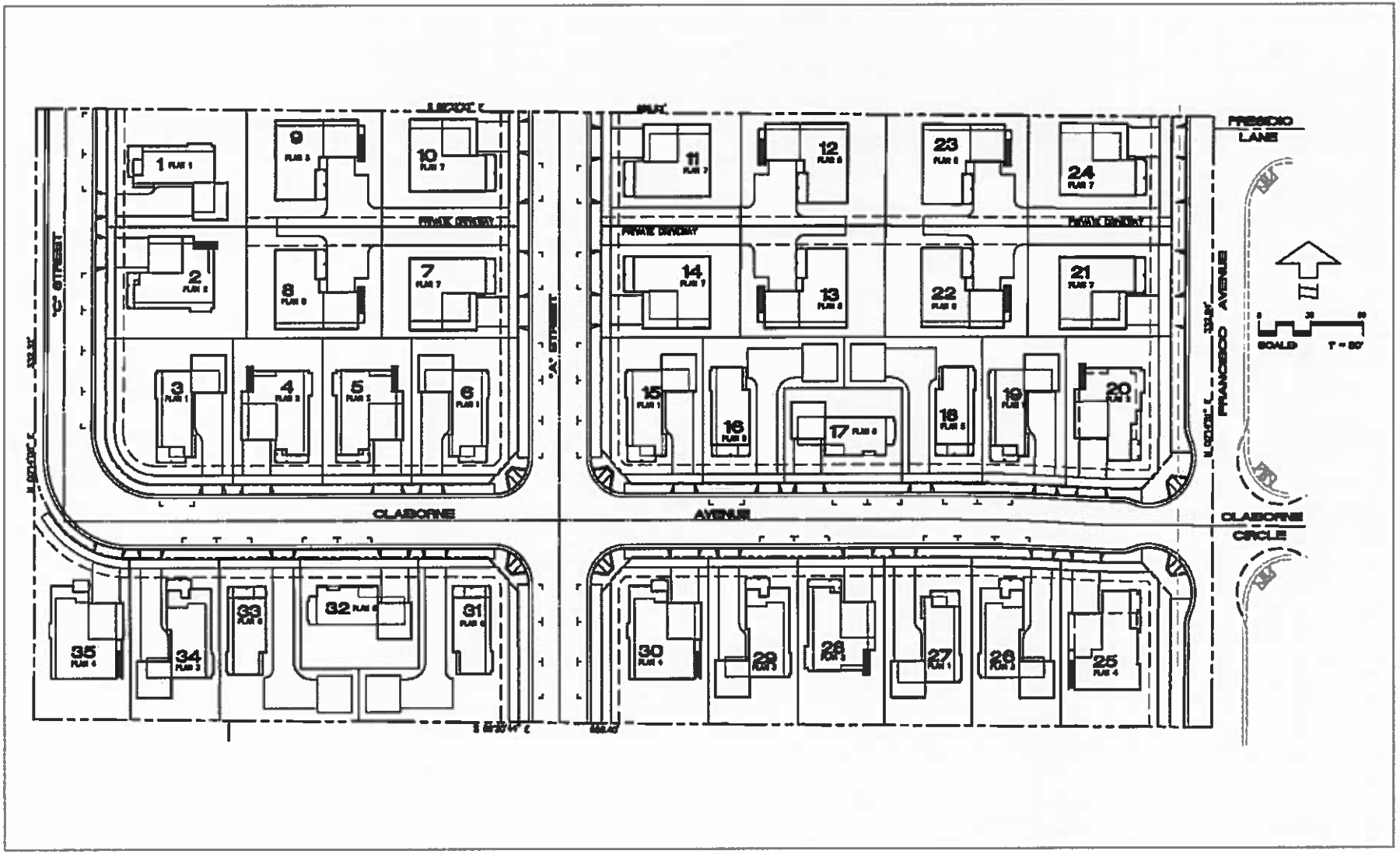

Figure 3. Site plan for Kerry Ranch 2.

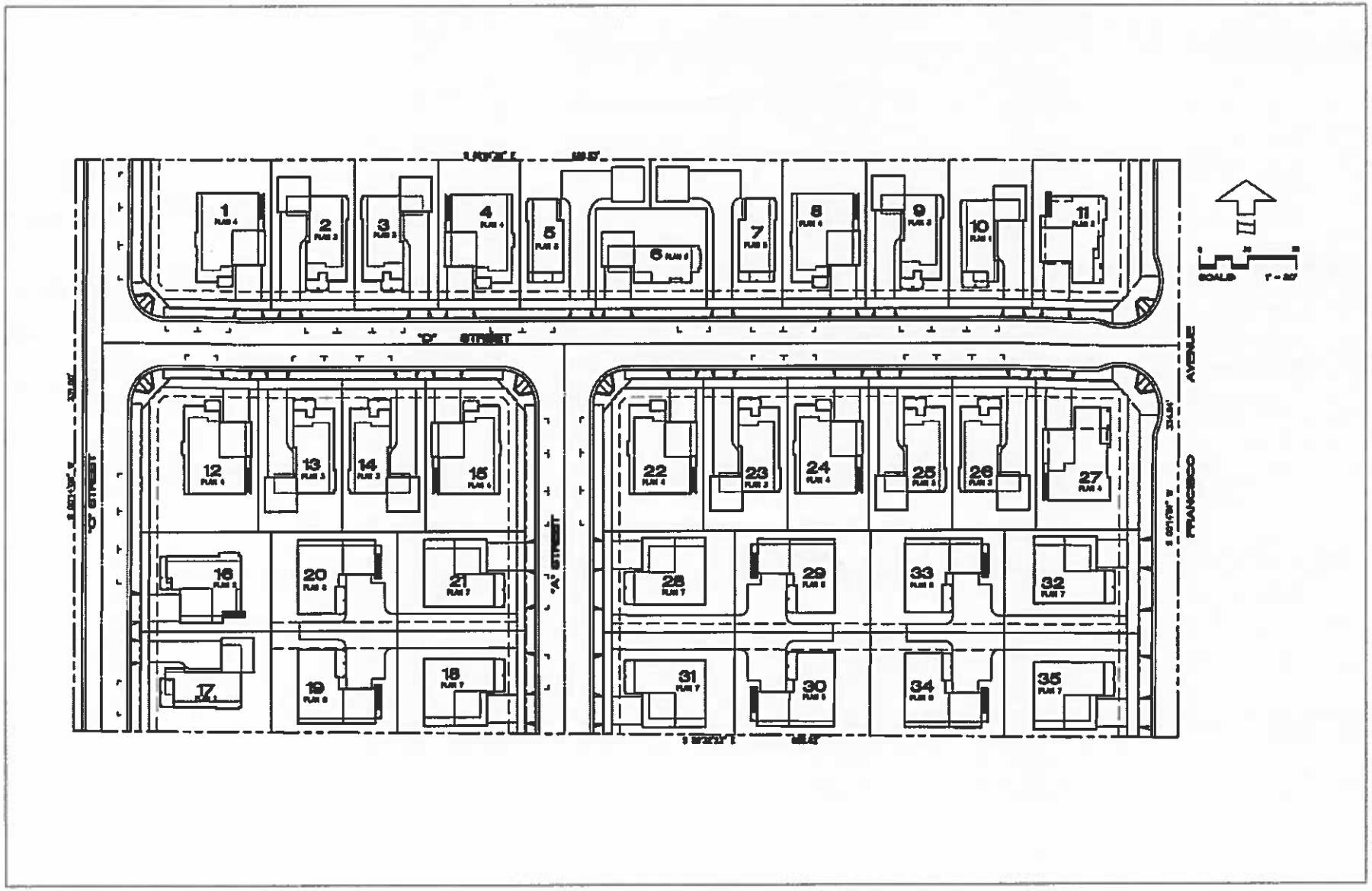

Figure 4. Site plan for Kerry Ranch 3.

1.3 STORM WATER POLLUTION PREVENTION

A Storm Water Pollution Prevention Plan ("SWPPP") has been developed for all three phases of the Kerry Ranch project to prevent project construction impacts on habitat and waters draining outside the work areas. Erosion control will be accomplished using conventional techniques suitable for local conditions (soil type, slope, etc.). Applicable protection measures, such as barrier and/or silt fencing and regular on-site monitoring, will be used to protect against inadvertent impacts to areas outside the project impact area during construction. The SWPPP has been submitted to the Regional Water Quality Control Board ("Regional Board") for its review and approval.

A Storm Water Quality Management Plan, designed to treat post-construction storm water runoff according to the standards promulgated by the Regional Board and implemented through the City of Santa Rosa, has been prepared and submitted to the Regional Board and City of Santa Rosa for review and approval. Approval of the Storm Water Quality Management Plan will be necessary before construction of the Kerry Ranch project can be authorized by the City of Santa Rosa and Regional Board.

1.4 CONSERVATION MEASURES

The project would result in the discharge of fill into all jurisdictional habitats on the Kerry Ranch project site. Project development would result in the loss of 0.76 acre of seasonal wetlands and 0.031 acre of roadside ditches on Kerry Ranch 1 (Figure 10), the loss of 0.71 acre of seasonal wetlands and 0.013 acre of roadside ditches on the Kerry Ranch 2 (Figure 11) and 0.79 acre of seasonal wetlands and 0.003 acre of roadside ditches on the Kerry Ranch 3 (Figure 12). Seasonal wetlands at Kerry Ranch 1 are considered suitable habitat for Sonoma sunshine. Burke's goldfields occur in the seasonal wetland that straddles the property line between Kerry Ranch 2 and 3 (Figure 9) and historically Burke's goldfields were more wide spread at Kerry Ranch 2 and 3. The seasonal wetland at Kerry Ranch 2 and 3, therefore, are considered to be occupied Burke's goldfields habitat. The roadside ditches that occurs at all three sites do not provide suitable habitat for either species.

Figure 5. Waters of the U.S. at Kerry Ranch 1.

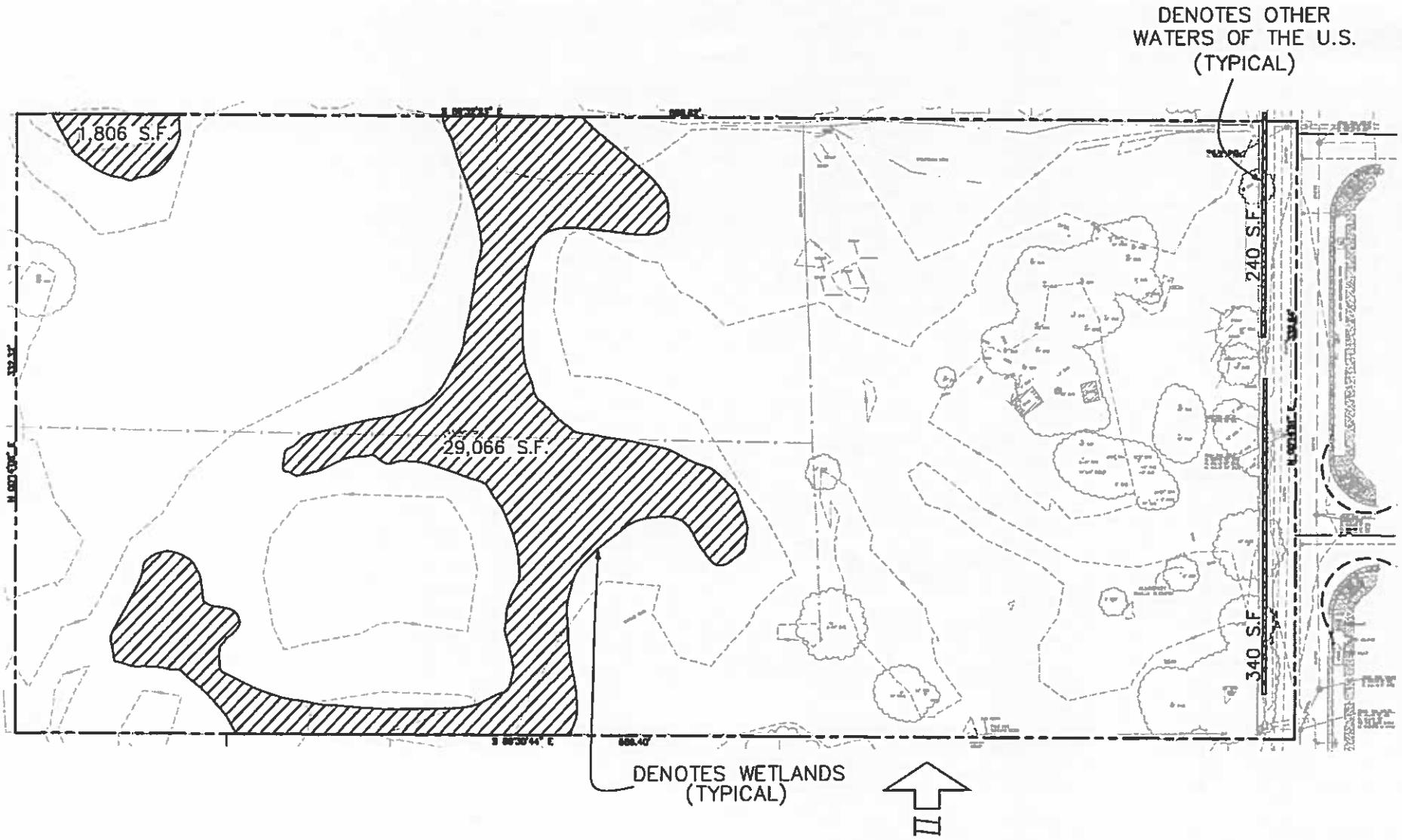

Figure 6. Waters of the U.S. at Kerry Ranch 2.

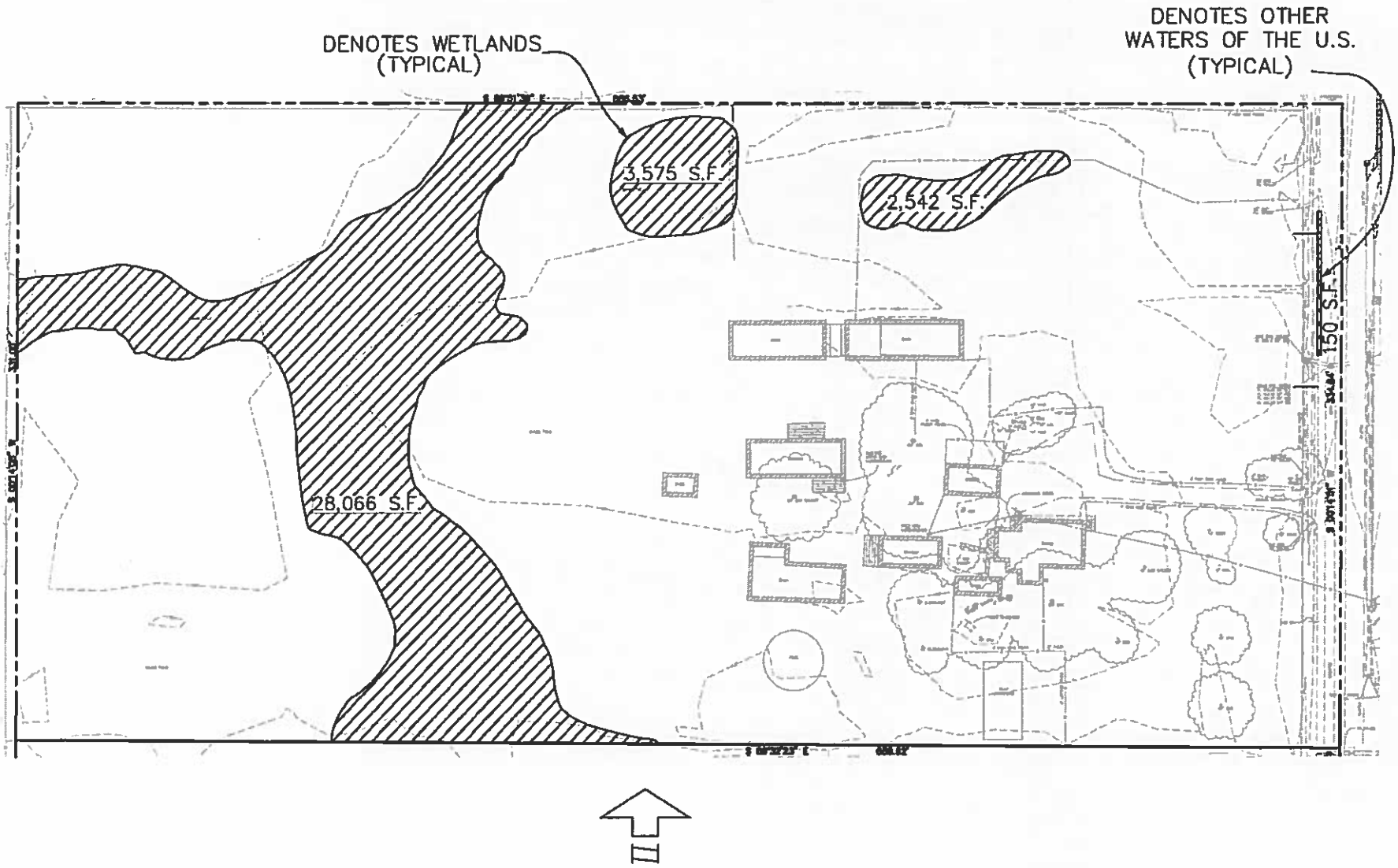

Figure 8. Waters of the U.S. at Kerry Ranch 3.

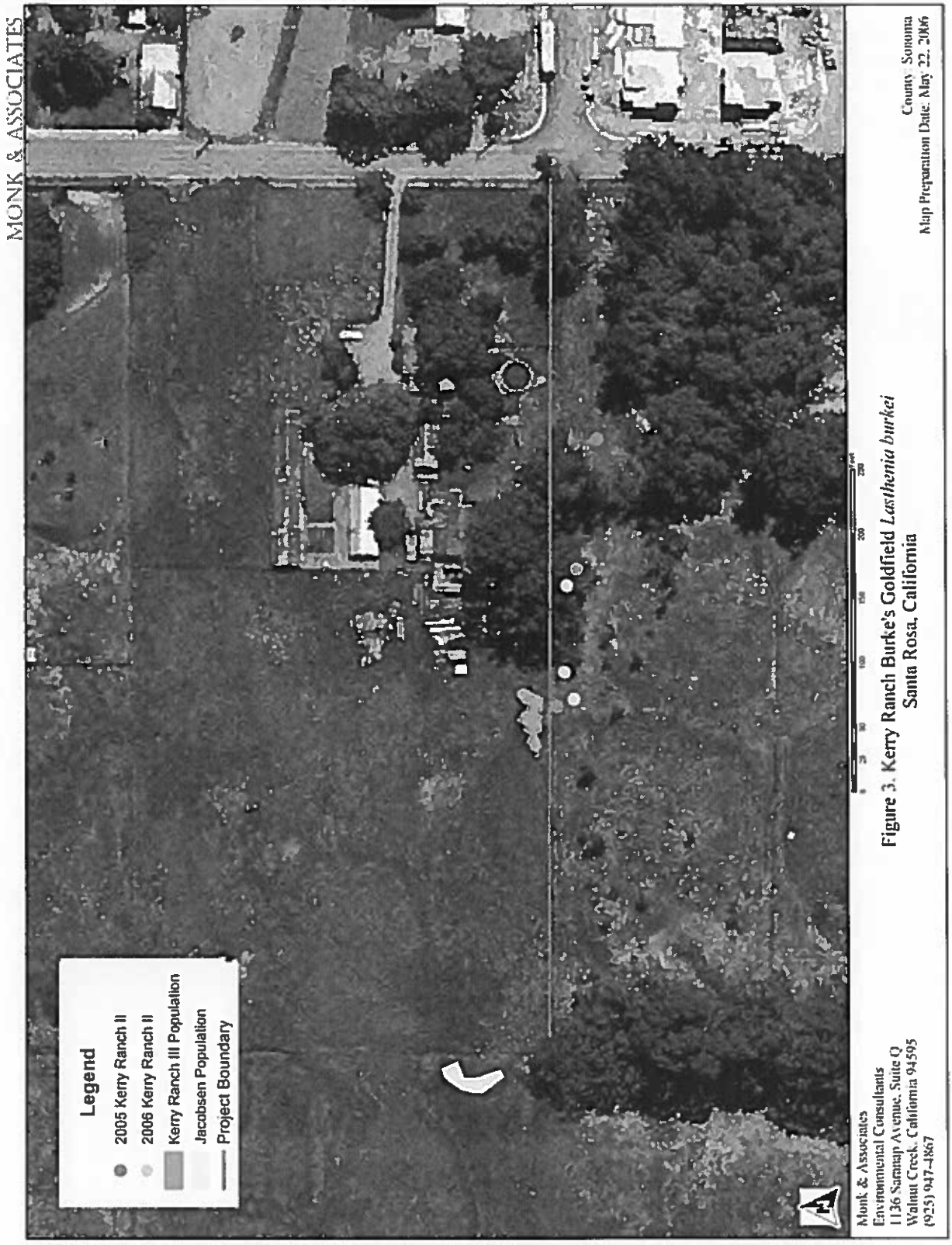

Figure 9. Burke's goldfields occurrence at Kerry Ranch 2 and 3.

1.4.1 Mitigation Measures

Mitigation for unavoidable impacts on wetlands, all of which are considered occupied endangered plant species habitat, will take place at agency-approved banks, which may include the Alton South Conservation Bank, Alton North Conservation Bank, the Kerry Conservation Bank, and the Hazel Mitigation Bank. The breakdown of the mitigation requirement for each project phase is outlined below.

As mitigation for the impacts of **Kerry Ranch 1**, Kerry Ranch, LLC proposes the following:

Wetland mitigation at a ratio of 1:1 for 0.79 acre:

- acquisition of 0.80 acre credit from the Hazel Mitigation Bank

Endangered plant species mitigation (Sonoma sunshine):

- acquisition of 0.80 acre of plant preservation credit (Sonoma sunshine) from an approved conservation bank, preserve, or mitigation bank, and
- establishment of 3,000 Sonoma sunshine plants in 0.80 acre of vernal pool habitat created at the Hazel Mitigation Bank, or other acceptable bank.

As mitigation for the impacts of **Kerry Ranch 2**, Kerry Ranch LLC proposes the following:

Wetland mitigation at a ratio of 1:1 for 0.72 acre:

- acquisition of 0.75 acre credit (credits available only in 0.05-acre units) from the Hazel Mitigation Bank.

Endangered plant species mitigation (Burke's goldfields):

- acquisition and protection of the 3.46-acre Kerry Preserve site, and enhancement of 1.43 acres of occupied Burke's goldfields habitat at the Kerry Conservation Bank site[1]; and
- establishment of 6,000 Burke's goldfields in at least 1.42 acres of vernal pool habitat created at the Alton South Conservation Bank, and other acceptable mitigation bank.

As mitigation for the impacts of **Kerry Ranch 3**, Kerry Ranch LLC proposes the following:

Wetland mitigation at a ratio of 1:1 for 0.79 acre:

- acquisition of 0.80 acre credit from the Hazel Mitigation Bank.

Endangered plant species mitigation (Burke's goldfields):

- acquisition and protection of the 3.46-acre Kerry Conservation Bank, and enhancement of a portion of 1.43 acres of occupied Burke's goldfields habitat on the Road site; and
- establishment of 6,000 Burke's goldfields in at least 1.58 acres of vernal pool habitat created at an acceptable mitigation bank(s).

1 Acquisition and protection on the Kerry Conservation Bank site, which supports 1.43 acres of seasonal wetland habitat that supports Burke's goldfields and Sonoma sunshine, will satisfy the preservation component of the mitigation for both Kerry Ranch 2 and Kerry Ranch 3.

1.4.1.1 Proposed Wetland Mitigation

The Kerry Ranch project will impact approximately 2.26 acres of seasonal wetlands and 0.04 acre of roadside drainage ditches (other waters of the U.S.). Impacts to these features will be mitigated by purchasing 2.30 acres of wetland credits at the Hazel Mitigation bank, or other acceptable wetland mitigation bank.

1.4.1.2 Proposed Endangered Plant Species Mitigation

The endangered plant species mitigation program, which includes preservation of existing occupied habitat for Sonoma sunshine (Kerry Ranch 1) and Burke's goldfields (Kerry Ranch 2 and 3) at an approved mitigation bank or preserve, and restoration of plants in restored or created wetlands, has been developed in consultation with the FWS (C. Goude, J. Knight, personal communication) and California Department of Fish and Game ("CDFG") (C. Wilcox, personal communication). The following represents the proposed mitigation for impacts to 0.76 acre of suitable but unoccupied Sonoma sunshine habitat at Kerry Ranch 1, 0.71 acre of occupied Burke's goldfields habitat at Kerry Ranch 2, and 0.79 acre of occupied Burke's goldfields habitat at Kerry Ranch 3:

Preservation

Kerry Ranch 1

- Acquisition of 0.80 acre of plant preservation credit (Sonoma sunshine) from an approved conservation bank, preserve, or mitigation bank

Kerry Ranch 2 and 3

- acquisition and protection of the Kerry Conservation Bank, which supports 1.43 acres of Burke's goldfields habitat

Restoration

Kerry Ranch 1

- establish of 3,000 Sonoma sunshine in 0.76 acre of vernal pool habitat created at the Hazel Mitigation Bank, or other acceptable bank.

Kerry Ranch 2

- establish of 6,000 Burke's goldfields plants in 0.71 acre of vernal pool habitat at Alton South Conservation Bank, and 0.71 acre in constructed vernal pool habitat at an acceptable mitigation bank.

Kerry Ranch 3

- establish 6,000 Burke's goldfields in 1.58 acres of vernal pool habitat at an acceptable mitigation bank.

1.5 PHYSICAL SITE CONDITIONS

1.5.1 Kerry Ranch 1

Kerry Ranch 1 is relatively flat. The elevational drop across the property ranges from the northeast to southwest corner and is a little more that one foot. The topography is characterized by mounds and depressional swales but is, nonetheless, relatively flat with little overall slope. Elevations in the upland portions of all the property vary by less than two feet. The natural drainage pattern has been substantially modified.

Soils on Kerry Ranch 1 are mapped by the Soil Conservation Service (U. S. Soil Conservation Service 1972) as belonging to the Huichica loam series. Huichica soils possess a clay horizon at a depth of about two feet and a cemented hardpan below the clay. Together, they form an effective barrier to deep percolation and perch water near the surface. Although the surface relief appears to have been modified, the properties that affect ponding at the surface appear to remain intact on the property. The Huichica series is considered a vernal pool soil by the Vernal Pool Task Force (CH2M Hill 1996).

1.5.2 Kerry Ranch 2

Kerry Ranch 2 is relatively flat and slopes generally to the west, but the total elevational drop is generally less than two feet. Remnants of the natural microtopography are present primarily in the western half of Kerry 2, and the microtopography on the eastern half remains partially intact but appears to have been modified when homes and other structures were built.

No natural drainage pattern remains in the eastern half of Kerry Ranch 2. It has been eliminated as a result of residential development. In the western half of Kerry Ranch 2, water stands over what appears to be a continuous swale running across the property in a north-south direction and connecting vernal pools. Water that leaves Kerry Ranch 2 to the north enters Kerry Ranch 3, but flows only into the vernal pool at the property line. Water flowing to the south enters into a larger area of vernal pool-seasonal wetland habitat on Kerry Ranch 1.

Soils on Kerry Ranch 2 are mapped by the Soil Conservation Service (U.S. Soil Conservation Service 1972) (NRCS) as belonging to the Huichica loam series.

1.5.3 Kerry Ranch 3

Kerry Ranch 3 is, likewise, relatively flat. Remnants of the natural microtopography remain partially intact but appear to have been modified when homes and other structures were built on the site, and other grading was done to provide access and parking areas and as part of the general landscaping and planting effort around the home and garage structures.

The entire drainage pattern has been modified. The natural drainage pattern at one time contained vernal pools that were physically and hydrologically connected with those on the Olaris and Jacobson properties. Although wetland habitat crosses the property line, and overland (sheet) flow

may run between the properties, concentrated surface water no longer flows between the properties and the vernal pools that once straddled the Kerry Ranch 3, Olaris, and Jacobson properties have been truncated at the property lines.

Soils on the Kerry Ranch 3 project site are mapped by the Soil Conservation Service (U.S. Soil Conservation Service 1972) (NRCS) as belonging to the Huichica loam series (see description above in section 1.5.1).

2.0 SPECIAL-STATUS SPECIES AND SURVEY RESULTS

2.1 BIOLOGICAL RESOURCES OF PROJECT AREA

Biological resource surveys of one type or another have been conducted at the Kerry Ranch project site, including delineation of wetlands and other waters of the United States, rare plant surveys (Appendix A) and protocol surveys for the CTS (Appendix B). The Kerry Ranch project area consists primarily of agricultural fields/non-native annual grasslands with seasonal wetlands scattered throughout the grassland. Exotic vegetation in the form of trees (primarily eucalyptus) and ornamental shrubs occur in association with existing residences or in the vicinity of recently-demolished residences and other buildings. Although the area likely supported vernal pools in the past, agricultural activities, such as discing and land leveling have altered the land form and disturbed the vernal pools and contributing watersheds. While there are still some areas that sustain ponding for an extended duration (several months), past disturbances have substantially impacted the plant communities found in these ponded areas. A short description of each habitat type follows.

2.1.1 Seasonal Wetlands

Approximately 2.30 acres of seasonal wetlands and other waters of the U.S occur on the Kerry Ranch project site. Kerry Ranch 1 supports approximately 0.76 acre of seasonal wetlands and 0.03 acre of other waters of the U.S (Figure 6). Kerry Ranch 2 supports 0.71 acre of seasonal wetlands and 0.01 acre of other waters of the U.S (Figure 7). Kerry Ranch 3 supports 0.79 acre of seasonal wetlands and 0.003 acre of other waters of the U.S (Figure 8).

Burke's goldfields have been observed on Kerry Ranch project site at the Kerry Ranch 2 and Kerry Ranch 3 sites (Figure 9). The number of plants and vigor of the Burke's goldfields colonies on the two sites have declined substantially over the last eight years. As of 2005, only one colony remains, restricted to a narrow band in the remnant vernal pool at the property line between Kerry Ranch 2 and Kerry Ranch 3. No other special-status plant species occur on the sites.

The Kerry Ranch project site is within the Alton Conservation Area. Adult and juvenile surveys for CTS conducted according to the U. S. Fish and Wildlife Service protocol on the Kerry Ranch project site, and on adjacent and nearby properties to the west have all returned negative results (Appendix B).

2.1.2 Uplands

Upland vegetation includes annual grassland and ornamental vegetation, the latter primarily associated with the areas around the residence and associated outbuildings and a stand of eucalyptus trees along the western edge of the site. As is the case with the seasonal wetlands, the annual grassland on both sites is representative of the type in the region, particularly in small-parcel, rural residential areas. The annual grassland occurs throughout most of Kerry Ranch 1 and 2, and the western half of Kerry Ranch 3 (the eastern part of the Kerry Ranch 3 consists of a residence, barn and other structures), and supports the typical array of annual introduced grasses and forbs. The dominant grasses are non-native, naturalized species: perennial ryegrass (*Lolium perenne*), wild oats, (*Avena fatua*), soft chess (*Bromus hordaceus*), and ripgut brome (*Bromus*

rigidus). Subdominant species include hedge bindweed (*Convolvulus arvensis*), filaree (*Erodium botrys, E. cicutarium*), dandelion (*Taraxacum* sp.), mustard (*Brassica* spp. and *Sisymbrium irio*), six-weeks fescue (*Vulpia bromoides*), vetch (*Vicia sativa*), wild radish *(Raphanus sativus*), lupines (*Lupinus nanus, L. bicolor*), and several wetland species, among them curly dock (*Rumex crispus*), meadow barley (*Hordeum brachyantherum*), California oatgrass (*Danthonia californica*), and Mediterranean barley (*Hordeum marinum* var. *gussoneanum*).

2.1.3 Special-status Plant Species

Special-status plant species surveys were conducted in 2005 and 2006 by Monk & Associates at the Kerry Ranch project site (Monk & Associates 2006b). The surveys were conducted according to the CDFG and FWS protocols on April 11, May 16 and June 15, 2005. Burke's goldfields were observed during both years in a vernal pool that straddles the property line between Kerry 2 and Kerry 3 (Figure 9). No special-status species have been observed at Kerry Ranch 1 during surveys conducted according to the FWS survey protocol for the Santa Rosa Plain.

In 1987 and 1992, Mr. Charles Patterson surveyed Kerry Ranch 2 but the surveys yielded negative findings. In 1993, 35 Burke's goldfields were present in the vernal pool along the north site boundary, and the number increased to approximately 1,200 in 1994 (Patterson 1992, Patterson 1995a). In general area-wide wetland surveys conducted in 1996 and 1997, Dr. Laurence Stromberg (1997) observed that the Burke's goldfields colony remained present on Kerry Ranch 2. Since then, the topographic and soil conditions that control the depth and period of inundation in the vernal pool have not changed, but the eucalyptus continued to grow and drop leaf little into the pool. As the species diversity declined, many vernal pool species, including Burke's goldfields, have likewise declined or disappeared.

At least six Burke's goldfields colonies have been observed on Kerry Ranch 3 in surveys conducted in 1988, 1989, and 1992 by Patterson (1995b) and Stromberg (1997). In general area-wide surveys in 1996 and 1997, Stromberg (1997) observed that all but one of the colonies had disappeared. The disappearance is consistent with the exhaustion of a seed bank in habitat that has been modified so substantially that seed production and successful reproduction were no longer possible except in the remnant vernal pool at the south property line. In 1996-97 several hundred plants were still present in that vernal pool. In the spring of 2005 Burke's goldfields were still present but only as a small colony of 5-10 plants. Several hundred plants were observed by Drs. Stromberg and Winfield during a reconnaissance survey on April 27, 2006.

2.1.4 Special-status Invertebrate and Wildlife Species

Special-status wildlife species on the Santa Rosa Plain include CTS, California freshwater shrimp *(Syncaris pacifica),* California red-legged frog *(Rana aurora draytonii),* western pond turtle *(Clemmys marmorata marmorata),* and California linderiella *(Linderiella occidentalis).*

Protocol surveys conducted on nearby project sites for CTS have all had negative results and the FWS has issued "no effects" findings for some of these properties. Surveys conducted at the Kerry Ranch project site in the winter and spring of 2005-06 and 2006-07 were also negative. As a result of the negative findings for the CTS studies conducted on nearby properties and the surveys conducted at Kerry Ranch, CTS are unlikely to occur at the project site so the projects will not impact CTS habitat and no CTS mitigation is required.

The Kerry Ranch site lacks suitable habitat for California freshwater shrimp, California red-legged frog, and western pond turtle. California linderiella occurs in vernal pools on the Santa Rosa Plain.

3.0 ASSESSMENT OF IMPACTS TO LISTED SPECIES

3.1 DIRECT AND INDIRECT EFFECTS

3.1.1 Special-status Plant Species

Grading of the Kerry Ranch project site will fill approximately 2.26 acres of seasonal wetlands, thus eliminating suitable habitat for Sonoma sunshine (Kerry Ranch 1), and occupied Burke's goldfields habitat (Kerry Ranch 2 and 3). Construction of the Kerry Ranch project will also fill approximately 0.04 acre of roadside ditches that do not provide suitable habitat for either of these species. Multiple-year surveys following accepted protocols conducted at the Kerry Ranch project site have identified the presence of Burke's goldfields in some of the seasonal wetlands on Kerry Ranch 2 and 3, but these populations have dramatically decreased in size in recent years due to degradation of habitat.

3.1.2 California Tiger Salamander

Protocol surveys conducted on nearby project sites for CTS have all had negative results and the U.S. Fish and Wildlife has issued "no effects" findings for some of these properties. Surveys conducted at Kerry Ranch project site in the winter and spring of 2005-06 and 2006-07 were also negative. As a result of the negative findings for the CTS studies conducted on nearby properties and the surveys conducted at Kerry Ranch, CTS are unlikely to occur at the project site so the projects will not impact CTS habitat.

3.2 CUMULATIVE EFFECTS

Cumulative effects include the effects of future state, tribal, local or private actions that are reasonably certain to occur in the action area. Future federal actions that are unrelated to the proposed action are not considered in this analysis because they require separate consultation pursuant to section 7 of the Endangered Species Act (Act) or Section 10a of the Act.

The threats to Burke's goldfields and Sonoma sunshine, such as unauthorized fill of wetlands, urbanization, increases in non-native species, and continued and expanded irrigation of pastures with recycled wastewater discharge are likely to continue with concomitant adverse effects on these species resulting in additional habitat loss and degradation, increasingly isolated populations (exacerbating the disruption of gene flow patterns) and further reductions in the reproduction, numbers, and distribution of these species, which will decrease their ability to respond to stochastic events.

Cumulative effects to Burke's goldfields and Sonoma sunshine could increase in the future if the current application of the Corp's regulatory authority under the Clean Water Act changes. On January 9, 2001, the United States Supreme Court issued an opinion regarding the Solid Waste Agency of Northern Cook County, Petitioner v. United States Army Corps of Engineers, et al. (SWANCC) which addressed the Corps' regulatory authority over isolated wetlands. The Corps' San Francisco District generally has regulated wetlands on the Santa Rosa Plain that are hydrologically connected to the Laguna de Santa Rosa, a tributary to the Russian River. Reduced application of the Corps' regulatory authority and subsequent lack of Section 7 consultation with the FWS on such isolated wetlands could result in increased impacts to federally listed species on the Santa Rosa Plain from future state, tribal, local or private actions.

4.0 PROPOSED MITIGATION FOR LISTED SPECIES

The mitigation proposed to offset impacts to listed species is incorporated into the project description and described in Section 1.4.1 (Mitigation Measures). The Kerry Conservation Bank will be established and the initial enhancement activities implemented during the late summer or early fall 2007. Construction of the 0.71 acre of wetlands at the Alton South Conservation Bank will occur in the summer of 2007 and take approximately three weeks to complete. Inoculation of the created vernal pools at the Hazel Mitigation Bank, or other acceptable mitigation bank and Alton South Conservation Bank will occur once construction of the vernal pools has been completed and prior to the first rainfall event in the fall of 2007. The wetland mitigation credits will be purchased prior to initiation of construction of each individual phase and a copy of the purchase agreements provided to the Service at least 60 days prior to initiation of construction.

5.0 REFERENCES

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APPENDIX A. RARE PLANT REPORTS FOR KERRY RANCH

APPENDIX B. RESULTS OF PROTOCOL CTS SURVEYS

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WETLAND AND ENDANGERED SPECIES MITIGATION PLAN FOR THE KERRY RANCH ROJECT SANTA ROSA, CALIFORNIA

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September 27, 2007

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CHAPTER 3.0 PROPOSED MITIGATION

3.1 ELEMENTS OF THE PROPOSED MITIGATION

Mitigation for unavoidable impacts on wetlands, all of which are considered occupied endangered plant species habitat, will take place at agency-approved banks, which may include the Alton South Conservation Bank, Alton North Conservation Bank, the Kerry Conservation Bank, and the Hazel Mitigation Bank. The breakdown of the mitigation requirement for each project phase is outlined below.

As mitigation for the impacts of **Kerry Ranch 1**, Kerry Ranch, LLC proposes the following:

Wetland mitigation at a ratio of 1:1 for 0.79 acre:

- acquisition of 0.80 acre credit from the Hazel Mitigation Bank

Endangered plant species mitigation (Sonoma sunshine):

- acquisition of 0.80 acre of plant preservation credit (Sonoma sunshine) from an approved conservation bank, preserve, or mitigation bank, and
- establishment of 3,000 Sonoma sunshine plants in 0.80 acre of vernal pool habitat created at the Hazel Mitigation Bank, or other acceptable bank.

As mitigation for the impacts of **Kerry Ranch 2**, Kerry Ranch, LLC proposes the following:

Wetland mitigation at a ratio of 1:1 for 0.72 acre:

- acquisition of 0.75 acre credit (credits available only in 0.05-acre units) from the Hazel Mitigation Bank.

Endangered plant species mitigation (Burke's goldfields):

- acquisition and protection of the 3.46-acre Kerry Preserve site and enhancement of 1.43 acres of occupied Burke's goldfields habitat at the Kerry Conservation Bank site[1]; and
- establishment of 6,000 Burke's goldfields in at least 1.42 acres of vernal pool habitat created at the Alton South Conservation Bank, and other acceptable mitigation bank.

As mitigation for the impacts of **Kerry Ranch 3**, Kerry Ranch LLC proposes the following:

Wetland mitigation at a ratio of 1:1 for 0.79 acre:

- acquisition of 0.80 acre credit from the Hazel Mitigation Bank.

Endangered plant species mitigation (Burke's goldfields):

- acquisition and protection of the 3.46-acre Kerry Conservation Bank and enhancement of a portion of 1.43 acres of occupied Burke's goldfields habitat at the Kerry Conservation Bank site; and

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1 Acquisition and protection on the Kerry Conservation Bank site, which supports 1.43 acres of seasonal wetland habitat that supports Burke's goldfields and Sonoma sunshine, will satisfy the preservation component of the mitigation for both Kerry Ranch 2 and 3.

- establishment of 6,000 Burke's goldfields in at least 1.58 acres of vernal pool habitat created at an acceptable mitigation bank(s).