

INITIAL STUDY

Environmental Checklist and Evaluation for Santa Clara County

File Number:	10136-12B-12G	Date: September 16, 2013
Project Type:	Single Building Site and Grading Approval	APN: 182-34-011
Project Location / Address	Arastradero Road	GP Designation: Hillsides
Owner's Name	Khosla, Trustees of the KFT Trust	Zoning: HS
Applicant's Name:	Steven R. Baugher	Urban Service Area: None
Project Description		
<p>The proposed project is a Single Building Site and Grading Approval application for a 4,000 square foot single family residence, a 1,000 square foot guest house, 9,800 square feet of private horse barn and includes a 38,000 square foot open arena. Associated site improvements include access road improvements, driveway and turnaround improvements and horse trailer parking area. All proposed uses are for personal use and no commercial, industrial, or institutional uses are proposed. Grading for the project will include approximately 3,000 cubic yards of cut and 4,250 cubic yards of fill (total 7,250 cubic yards). Project entails removal of 16 trees (3 Bay Laurels, 1 Valley Oak, 1 Blue Oak and 11 Coast Live Oaks). Access road improvements include widening of the existing Arastradero Road along Los Trancos Creek to meet the fire safety standards.</p>		
Environmental Setting and Surrounding Land Uses		
<p>The subject property is a 9.8-acre parcel located at Arastradero Road in Portola Valley, on a private road, approximately 250 feet south from the intersection of Alpine Road and Arastradero Road, in the unincorporated County of Santa Clara. The subject property is located on the boundary of unincorporated Santa Clara County, south of Portola Valley. The property is bounded by Los Trancos Creek flowing on the northwest boundary of the property, Alpine road on the west and John Marthens Lane at the south of the property. The area north of Los Trancos Creek is in the developed area within Town of Portola Valley. The southwestern boundary of the property is bounded by the City of Palo Alto and unincorporated Santa Clara County.</p> <p>The proposed development area of the property south east of Los Trancos Creek is generally flat in the front (approximately 2 acres) and then rises to slopes greater than 30% for the rest of property. Land cover primarily consists of grasslands in the front flat portion of the lot and oak woodlands in the sloped portion of the property (approximately 70% of the property). Primary vehicle access to the property is provided by a private road (Arastradero Road) and a paved driveway into the property. The proposed private access road improvement entails widening the existing Arastradero Road to meet the Fire Marshal Office standards. The property is not located in the Santa Clara Valley Habitat Plan area. The property is not on prime farmland, not under Williamson Contract, and does not have serpentine soils.</p> <p>Surrounding land uses consist of rural properties of similar size, primarily used for low-density rural residential development and horse ranching. South of the property is the Peason-Arastradero Preserve; North of the property is Glen Oaks Equestrial Center, Alpine Inn Restaurant/Bar, residence and barn and S.P. McClenahan Co (arboriculture). To the east and west are private residences.</p>		
Other agencies sent a copy of this document:		
<p>California Department of Fish & Wildlife; U.S. Fish & Wildlife Service Santa Clara Valley Water District</p>		

The environmental factors checked below would be potentially affected by this project, involving at least one impact as indicated by the checklist on the following pages.

I. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture / Forest Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Resources / Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | <input type="checkbox"/> None |

II. ENVIRONMENTAL FACTORS WITH NO SIGNIFICANT IMPACTS

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

Check here if this finding is not applicable

FINDING: For the following topics, there is no potential for significant environmental impact to occur either from construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

EVIDENCE: Aesthetics: The subject property is located on Arastrodero Road, which is a private road located within unincorporated Santa Clara County. The proposed single-family residence, secondary dwelling and accessory horse arenas and stable/barn will be located greater than 100 feet from the right-of-way. The project application is not subject to Design Review or Architectural Site Approval and is not located in the Design Review Combining District (-d) or Scenic Road (-sr) Combining District.

EVIDENCE: Agricultural and Forest Resources: The 9.82-acre property is zoned Hillside (HS). The subject property south of Los Trancos Creek is not designated as prime farmland and permitted uses in Hillside include residential and accessory uses. Construction of the single family residence, secondary dwelling, horse arena and stable/barn would not convert more than 10 acres of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses and would not affect existing agricultural operations on adjacent properties. The property is not under a Williamson

Act Contract and would not result in the loss or conversion of forest land to non-forest use. (Project Description; Reference # 1, 3, 4, 8, 9, 32, 36, 39, 55, 57)

EVIDENCE: Air Quality: Development of the proposed single family residence, secondary dwelling, uncovered horse arena, and stable/barn would involve grading and construction activities. Fugitive dust would be created during the construction of the proposed structures and site improvements. However, dust emissions would be controlled through standard Best Management Practices (BMPs) dust control measures that would be a condition of the project. Emissions generated from a single family residence would well below the BAAQMD operational-related emissions thresholds. The proposed uses are for private use and operation would not generate increased daily vehicle trips or involve the emissions of criteria pollutants. (Project Description; Reference # 3, 5, 58, 59, 61)

EVIDENCE: Cultural Resources: The site is a vacant lot with no structures. The property is adjacent to Los Trancos Creek. California Historical Resources Information System, Northwest Information Center (CHRIS/NWIC) recommended that a study be done to evaluate impacts to undocumented potential archeological and historical resources that may be on the property. A report prepared by *Basin Research Associates* (dated March 28, 2013), completed a field visit investigation and a records search to determine the presence/absence of recorded cultural resources within the property. The report concluded that the “project appears to be located in an area of low to moderate sensitivity for archeological resources due to the presence of Los Trancos Creek, and present day Alpine Road and Old Alpine Road-reportedly aboriginal trail.” The report concluded that “This trail has been widened..” since and there is “no evidence of prehistoric midden or other indicators of prehistoric or historic era sites were observed on the surface during the survey.”

EVIDENCE: Greenhouse Gas: Construction of the single family residence, secondary dwelling, open arena and horse barn, would involve the use of construction equipment, but emissions of greenhouse gases would be minimal and temporary. The single-family residence, secondary dwelling and operation of the horse arena and barn, which are for private use, would consume electricity for lighting and operation of horse grooming equipment. However, the amount would be minimal, and therefore would not make a cumulatively considerable contribution to the effect of GHG emissions on the environment. In addition, emissions generated from a single-family residence would well below the BAAQMD operational-related emissions thresholds. The proposed use as a private horse facility would not conflict with any applicable plan, policy or regulation for reducing the emissions of greenhouse gases. (Project Description; Reference # 3, 4, 6, 9, 10, 20)

EVIDENCE: Hazards and Hazardous Materials: The subject property is located in the Wildland Urban Interface area. The proposed single-family residence, secondary dwelling, open arena, and horse barn would conform to the Fire Marshal’s Office requirements, including sprinklers and water storage requirements, for adequate fire protection. The proposed single-family residence, secondary dwelling, open arena, corral, and barn are for personal use. No commercial horse boarding facilities are proposed. The proposed project would not involve transport of hazardous materials or emit hazardous emissions. The project site is not located on a hazardous materials site and is more than two miles from a public use airport. The proposed access driveway would conform to all requirements of the Fire Marshal’s Office for emergency vehicle

access. (Project Description; Reference # 1, 2, 3, 4, 5, 7, 9, 13, 19, 24b, 30, 33, 40, 41, 48, 82, 83, 87)

EVIDENCE: Hydrology: The proposed project is for a single family residence, a secondary dwelling, an open horse arena and a stable/barn and is located southeast of the Los Trancos Creek. While the proposed project will not modify or use a Santa Clara Valley Water District's (SCVWD) facility or easement, it is located adjacent to the Los Trancos Creek (SCVWD jurisdiction) and a portion of the property is located within FEMA Flood Zone A and the in Flood Zone D. The proposed single family residence, secondary dwelling and accessory structures would be designed using best engineering practices to ensure conformance with FEMA standards for construction in flood zones. The proposed access road improvements to the existing Arastredero Road are located adjacent to Los Trancos Creek top of bank. A geotechnical study will be required for the proposed improvements and will comply with the *Water Collaborative Guidelines and Standards for Land Uses Near Streams*. The proposed project would not alter drainage and would be conditioned to ensure that no stormwater would be displaced from the property. BMPs would be required as a condition to minimize erosion during construction. (Project Description; Reference # 3, 6, 32, 34, 35a, 35b, 40, 41, 67, 68, 70, 70)

EVIDENCE: Land Use: The subject property is currently a vacant lot. Surrounding uses include properties of similar size developed with single family residential uses and horse ranches. Construction of the proposed 4,000 square foot single family residence, 1000 square feet secondary dwelling, 9,800 square foot barn with stables, and the 38,000 square foot open horse arena, would be for private use and would not divide an established community. No commercial, industrial or institutional uses are proposed. The subject property's general plan designation is Hillside and the zoning is Hillside (HS). The proposed development is consistent with the County General Plan and Zoning Ordinance. According to the County Ordinance Code (Chapter VIII, Sections A33.141-246), in Hillside zoning districts, the number of livestock is 3 large animals /acre. (Project Description; Reference # 2, 3, 4, 8, 31, 33, 35a, 39, 71)

EVIDENCE: Population and Housing: The proposed project is a single family residence, secondary dwelling, open horse arena, horse stable/barn, and associated improvements located on a hillside property. No commercial, industrial or institutional uses are proposed. Development of a single-family residence with the proposed accessory uses would not induce population growth or displace existing housing or people. (Project Description; Reference # 1, 3, 4, 30, 40)

EVIDENCE: Public Services: The proposed single family residence, secondary dwelling, open horse arena, and stable/barn are for personal use and no commercial, industrial, or institutional use is proposed. The proposed single-family residence and accessory uses would not significantly increase the need for additional fire or police protection to the area. Other public services, such as provided by schools or parks, would not be involved. (Project Description; Reference # 1, 3, 4, 5, 6)

EVIDENCE: Resources/Recreation: The proposed project site is not located in an area where mineral resources of value to the region or state have been identified. The site is also not located on locally important mineral resource recovery sites. The proposed project is for a single-family residence, secondary dwelling with private horse arena and horse barn and would not involve either the use or construction of recreational facilities. (Project Description; Reference # 1, 3, 5, 6, 28, 32, 52, 56)

EVIDENCE: Transportation/Traffic: The proposed single family residence, secondary dwelling, accessory horse arena, and barn are for private use and will generate approximately 10 daily vehicle trips. No commercial, industrial, or institutional use is proposed. The project will not generate substantial new traffic, impair existing transportation facilities, or result in inadequate emergency access or parking capacity. Construction activities for the proposed structures would involve a small number of vehicle trips related to delivery of material and workers commuting to the site. Because the number of trips would be temporary and small in number, and road use in the vicinity is relatively light, the proposed project would not have impacts on traffic and circulation. Onsite parking for the proposed single-family residence is in conformance with the County parking requirements. (Project Description; Reference # 3, 5, 6, 7, 19, 30, 40, 51a, 86, 87)

EVIDENCE: Utilities/Service Systems: The proposed single family residence, secondary dwelling, accessory horse arena, and barn would not require or result in the construction of new or expanded wastewater treatment or storm water drainage facilities. Water is provided to the site by West Bay Sanitary District. Construction activities would involve minimal amounts of debris that would need be removed and disposed of, and existing landfill capacity would sufficient to accommodate it. (Project Description; Reference # 1, 3, 5, 6, 24b, 70)

III. ENVIRONMENTAL DETERMINATION

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.
- I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

Signature

Date

Printed Name

For

IV. ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

A. AESTHETICS					
WOULD THE PROJECT:	IMPACT				SOURCES
	YES			NO	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	No Impact	
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,6,8,12
b) Substantially damage scenic resources along a designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 6,7, 30
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,38,40
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,5
e) If subject to ASA, be generally in non-compliance with the Guidelines for Architecture and Site Approval?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9,11
f) If within a Design Review Zoning District for purposes of viewshed protection (d, -d1, -d2), conflict with applicable General Plan policies or Zoning Ordinance provisions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,8,9,12, 38,40

DISCUSSION:

See Section II; Aesthetics

MITIGATION:

None required.

B. AGRICULTURE / FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Convert 10 or more acres of farmland classified as prime in the report <i>Soils of Santa Clara County (Class I, II)</i> to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,32,55
b) Conflict with existing zoning for agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,9
c) Conflict with an existing Williamson Act Contract or the County's Williamson Act Ordinance (Section C13 of County Ordinance Code)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 8,36,57
d) Conflict with existing zone for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,9,39
e) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,32
f) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,39

DISCUSSION:

See Section II; Agriculture and Forest Resources

MITIGATION:

None required.

C. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	58
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,59,61
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,59,61
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,5,61

DISCUSSION:

See Section II; Air Quality

MITIGATION:

None required.

D. BIOLOGICAL RESOURCES					
WOULD THE PROJECT:	IMPACT				SOURCES
	YES			NO	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,7,23a,29a,29b
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,7,23a,29a,29b
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.) or tributary to an already impaired water body, as defined by section 303(d) of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,7,29b,35a,35b
d) Have a substantial adverse effect on oak woodland habitat as defined by Oak Woodlands Conservation Law (conversion/loss of oak woodlands) – Public Resource Code 21083.4?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,4,8,29b,64
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,35a,35b
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,8,23a
g) Conflict with any local policies or ordinances protecting biological resources:					
i) Tree Preservation Ordinance [Section C16]?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,64
ii) Wetland Habitat [GP Policy, R-RC 25-30]?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,35a&b,66
iii) Riparian Habitat [GP Policy, R-RC 31-41]?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,35a&b,66

DISCUSSION:

Background

The subject 10-acre property is located across the Los Trancos Creek and along Aratredero Road, a private access road. The creek is a seasonal creek with mixed riparian woodland habitat within the channel and surrounding environment of the creek. The subject property is currently vacant and entails improvements including a single family residence, a secondary dwelling, a stable barn and an open horse arena. Access road improvements entail widening of the existing Arastredero Road to meet the minimum width for fire safety equipment. North of Los Trancos

Creek is developed commercial property (Alpine Inn/Bar) with paved parking lots abutting the creek.

Habitats

The subject property not is located in the Rural Development Area of the Santa Clara Valley Habitat Plan/Natural Communities Conservation Plan (SCVHP/NCCP) and land cover is designated as mixed oak woodlands and ruderal grasslands. According to the County GIS database, the subject property provides potential habitat for the arcuate bush mallow (*Malacothamnus arcuatus*).

According to a Biological Resources Assessment, conducted by WRA Environmental Consultants (dated June 12, 2013), biotic habitats/land use types on the subject property consist of undeveloped “ flat ruderal grassland and mixed oak woodland on a relatively steep, west facing slope.” The report concluded that two sensitive biological communities were present- 1) Mixed Oak woodland including coast live oak (*Quercus agrifolia*) and California Bay (*Umbellularia californica*) and 2) Wetlands and Non-Wetland waters (seasonal drainage) with indication of the species of rush (*Juncus spp.*) and one non-sensitive biological community was present in the Study Area: a ruderal grassland with non-native annual grasses such as wild oat, rip-gut brome and other herbs.

In addition, the report evaluated for impacts to Special Status Species as stated below:

Special Status Species Identified as Possible to occur on Property:

Plants: Eleven Special Status Plant species were documented within 3 miles radius of the property. However, none of the special status plant species documented within the 3 mile radius were likely to occur on the property, due to lack of suitable habitat including vernal pool habitat for Hoover’s button-celery (*Eryngium aristulatum var. hooveri*) and legenere (*Legenere limosa*) and coastal scrub and closed cone coniferous forest habitats for San Francisco collinsia (*Collinsia multicolor*). Due to tilling done in the past, the grasslands habitat was likely to preclude showy rancheria clover (*Trifolium amoenum*) and fragrant fritilliary (*Fritillaria liliacea*). For the other five species that were the semi-woody to woody perennials which are found within scattered oak woodland habitat, the property showed evidence of regular tree-trimming and other maintenance of the property, the likelihood of these species to occur was reduced. Although, the property was has the possibility of the Davidson’s bush mallow and arcuate bush mallow based on the CNDBB’s polygon. However, site visit and the low level of accuracy associated with the occurrence (last observed occurrence was in 1931) and the high level of disturbance in this area since 1931, it was determined that the above species was unlikely to occur in the study area.

Wildlife: Nine special-status or otherwise rare species of wildlife were recorded within 3 miles of the property. Two special-status wildlife species - Oak Titmouse (*Baeolophus inornatus*) and San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*) were observed within or adjacent to the property during site assessment.

The Oak Titmouse, was observed on the site during the site visit on March 13, 2013. It typically occurs in open oak woodlands and build their nests in woodpecker holes and natural cavities. The occurrence of San Francisco dusky-footed woodrat was evidenced through prominent stick houses and woodrat middens identified on the property.

High to Moderate Potential to Occur on Property:

Other high potential that can occur on the property is the Nuttall's woodpecker (*Picoides nuttallii*), a primary cavity nester that is associated with intact oak and riparian woodlands such as those on subject property. Moderate Potential Species include the Pallid bat (*Antrozous pallidus*), Olive-sided flycatcher (*Contopus cooperi*), white-tailed kite (*Elanus leucurus*) and Allen's hummingbird (*Selasphorus sasin*).

Unlikely or No Potential to Occur on Property:

The report additionally concluded that the following Federal and State listed wildlife species were unlikely or have no potential for occurring on the property: California Tiger Salamander (*Ambystoma californiense*), Steelhead –Central California Coast DPS (*Oncorhynchus mykiss irideus*), California red-legged frog (*Rana draytonii*) and the San Francisco garter snake (*Thamnophis sirtalis tetrataenia*).

Regulatory Setting

Clean Water Act

Section 9 of the Clean Water Act prohibits the “take” of any federally listed animal species by any person subject to the jurisdiction of the United States. Take is defined as “...to harass, harm, pursue, hunt, would, kill, trap, capture or collect...” and includes habitat destruction when it injures or kills a listed species by interfering with essential behavioral patterns, such as breeding, foraging or resting. “Take” incidental to an otherwise lawful activity may be authorized when an incidental take permit (Section 7 or 10) is obtained. In addition, if it is determined the proposed project may result in “take” or adverse effects to the American badger or other federally listed species, the applicant shall obtain authorization for incidental take.

Alteration to the bed or bank of a stream course is subject to review and permitting by the U.S. Army Corps of Engineers (ACE), California Department of Fish and Wildlife (CDFW), and California Regional Water Quality Control Board (RWQCB) for work within jurisdictional waters, including “other waters of the U.S.” as defined by the U.S. Army Corps of Engineers, Section 404 of the Clean Water Act.

Migratory Bird Treaty Act

The Federal Migratory Bird Treaty act (16 U.S.C., Section 703, Supp. I, 1989) prohibits killing, possessing, or trading of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. The trustee agency that addresses issues related to the MBTA is the USFWS. Migratory birds protected under this law include all native birds and certain game birds (USFWS 2005a). This act encompasses whole birds, parts of birds, and bird nests and eggs. The MBTA protects active nests from destruction and all nests of species protected by the MBTA, whether active or not, cannot be possessed. An active nest under the MBTRA, as described by the Department of the Interior in its 16 April 2003 Migratory Bird Permit Memorandum, is one having eggs or young. Nests starts, prior to egg laying, are not protected from destruction.

Santa Clara Valley Habitat Plan (SCVHP)

The SCVHP (Plan), developed in partnership with the County of Santa Clara, City of Morgan Hill, City of Gilroy, Valley Transportation Agency, and Santa Clara Valley Water District, establishes a framework for development projects to comply with several state and federal regulatory processes. The Plan is intended to provide for avoidance, minimization, and compensation (i.e., conservation) requirements set forth in federal and state laws, including the California Environmental Quality Act (CEQA), for impacts to covered species and natural

communities for which incidental take authorization from the Wildlife Agencies will be obtained, while improving and streamlining the environmental permitting process for impacts on threatened and endangered species. The Plan will also be used to comply with Section 7 of the Endangered Species Act (ESA) and Natural Community Conservation Planning (NCCP) Act for projects with federal agency involvement.

The SCVHP establishes standardized, equitable, feasible and enforceable measures by which participating jurisdictions can mitigate impacts upon species covered by the SCVHP to a *less-than-significant level*. New development projects that are within the Habitat Plan study area are subject to the fees and conditions established and outlined in the Santa Clara Valley Habitat Plan related to impacts to endangered species habitat.

POTENTIAL IMPACTS

(a,c,e,f,g)

No Impact.

The proposed development area is located approximately 200 feet south east from the Los Trancos Creek top-of-bank. The proposed project area for the single family residence, secondary dwelling, open arena and barn is located outside the riparian vegetation of Los Trancos Creek and areas to be disturbed are not anticipated to impede the movement of any native resident or migratory fish or wildlife species, or disrupt any migratory wildlife corridors or nursery sites. The proposed development on subject property is not located within 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. The property also is not located within the Santa Clara Valley Habitat Plan/NCCP. Therefore, the proposed development would not conflict with any local policy or ordinance, adopted Habitat Conservation Plan, or Natural Community Conservation Plan and is considered *no impact*.

(b,d)

Less Than Significant with Mitigation

The subject property is located on the southeast of Los Trancos Creek. The property land cover consists of mixed oak woodland and ruderal grasslands with two special status species Oak Titmouse (*Baeolophus inornatus*) and San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*) occurring on the property.

Riparian Vegetation Impacts: The proposed access road (Arastredero Road) widening from 12 feet to 18 feet as required by the Fire Marshal Office will entail improvements close to the top of bank but is not within the creek, does not alter a stream bed and does not entail removal of any protected riparian woodland. A few invasive and overgrown shrubs that are within the access road improvements area will be trimmed or removed. Although the proposed project is unlikely to impact Los Trancos Creek and steelhead Critical Habitat, the proposed construction will be in conformance with Best Management Practices and erosion control measures for grading adjacent to creeks.

Oak Woodland Impacts: The proposed development entails removal of 16 trees (3 bay laurels, 1 valley oak and 11 coast live oaks) and would result in the permanent loss of approximately 0.18 acres of 6.4 acres of oak woodland canopy loss. In addition, the project has the potential to impact additionally eighteen (18) ordinance sized trees with canopies interfacing with the proposed grading improvements. According to the Biological Resources Assessment, conducted

by WRA Environmental Consultants (dated June 12, 2013), the non-native ruderal grassland and oak woodland habitats are not particularly sensitive or valuable in providing wildlife habitat for most species. Therefore, the impact of the proposed development on aquatic habitat, mixed riparian woodland habitat, and non-native ruderal grassland and agricultural habitat is *less than significant with mitigations*.

Tree Protection Measures and replacement ratios will be in accordance with the County's adopted *Guidelines for Tree Protection and Preservation for Land Use Applications*.

Special Status Wildlife Species and Habitat: Two special status species, the Oak Titmouse (*Baeolophus inornatus*) and San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*) are present on the subject property and one, the Nuttall's woodpecker (*Picoides nuttallii*) has high potential to occur on the property.

To prevent impacts to nesting resident and migratory birds, the following protection measures would minimize any impacts to the species and their habitats to be *less than significant*.

MITIGATION (TREE REMOVAL):

To mitigate potential tree removal impacts of the project, the following mitigation measures shall be implemented:

- 1) For trees proposed for removal the following replacement ratios will be required

For the removal of one small tree (5- 18 inches):

(3) 15 gallon trees, or (2) 24-inch box trees.

For the removal of one medium tree (18 – 24 inches):

(4) 15 gallon trees or (3) 24-inch box trees.

For the removal of a tree larger than 24 inches

(5) 15 gallon trees or (4) 24-inch box trees.

Tree Planting/Maintenance Plan

- 2) Prior to issuance of final grading permit issuance, submit two (2) copies of a tree planting and maintenance plan prepared, and stamped by a certified landscape architect, for approval by Planning. The plan shall show any tree proposed to be removed and all trees that are to be replanted on site. The plan shall include species name (generic and common), size and container size of all proposed plants. The plan shall also include location of all replacement trees, size, type, and tree protection measures for existing trees to remain. Tree replacement type and ratios are specified above in Condition #1. The plan must also describe any relevant details of irrigation and maintenance, including methods for protecting any significant existing trees during construction. Include details of plant pit and staking/guying of trees on slope.

Contract for Installation of Landscaping

- 3) Prior to issuance of the final grading permit, submit a copy of a contract with a licensed landscape architect (hired to oversee installation of landscaping and associated irrigation), and any other contractor, to the Planning Office for approval. A report shall be submitted by the consulting landscape architect to the Planning Office for approval

summarizing the results of the installation of landscaping and associated irrigation, prior to final inspection or release of the construction bond, whichever occurs first.

NOTE: Original invoices and receipts from landscape contractor and tree nursery must be kept on hand for one year following installation. Such invoices shall be made available to the Planning Office upon request.

Existing Trees Protection

- 4) Prior to construction, fencing or other barriers shall be placed to protect existing trees within 15 ft. of construction/grading activities not proposed for removal. No work is allowed within the dripline of existing trees to remain on-site.
- 5) Best Management Practices (BMP) shall be implemented by the contractor to ensure that sediment and other contaminants are not discharged into existing trees during the construction process including erosion and sediment control measures. Final grading and building plans shall identify the BMPs.

MITIGATION (NESTING RAPTORS):

To mitigate impacts to nesting birds, Pallid bat, and tree loss, the following mitigation measures shall be implemented as follows:

- 6) *Non Breeding Season:* If possible, tree removal and construction shall be limited between September 1 and February 14 to avoid the nesting season for both special status birds and pallid bats. However some species have the potential to breed year round. If nesting birds are encountered during construction activities in the non-breeding season, disturbance activities should be ceased until a qualified biologist is notified and corrective measures are completed.

Breeding Season: If initiation of construction must occur within the nesting season (February 15- August 31), a pre-construction survey for raptors and birds shall be conducted by a qualified biologist or ornithologist to identify any nests that may be disturbed during project construction. The pre-construction survey shall occur prior to or within 10 days of initiation of construction such as grading, tree or vegetation removal or other disturbance that could potentially impact the nesting habitats. In addition the survey should focus on trees to be removed and trees within 15 feet of proposed construction.

- 7) For evidence of compliance with this condition, the following documentation shall be submitted as follows:

A copy of the contract established for work by a qualified ornithologist to conduct the preconstruction surveys shall be submitted prior to issuance of final grading permit.

A copy of the pre-construction survey shall be submitted to the County Planning Office, prior to final inspection.

E. CULTURAL RESOURCES					
WOULD THE PROJECT	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines, or the County's Historic Preservation Ordinance (Section 17 of County Ordinance Code) – i.e. relocation, alterations or demolition of historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 16, 40,74
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 40, 74
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,40,74
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 40,74
e) If within New Almaden Historic area, conflict with General Plan policies of this designated special policy area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	8,40

DISCUSSION:

(a,b, c,e)

No Impact. The subject property is located in a rural residential and commercial area. No historic buildings or structures, paleontological resources, or unique geologic features are located on the property. The subject property is not located within the New Almaden historic district. Therefore, the proposed project would have no impact on historic, paleontological or unique geologic resources.

(d)

Less Than Significant. Unknown human remains could be found during excavation or grading for the single-family residence, arenas, barn, and internal access driveway. The approval of the project will include the following condition, which would reduce this impact to a less-than-significant level:

In the event that human skeletal remains are encountered, the applicant is required by County Ordinance No. B6-18 to immediately notify the County Coroner. Upon determination by the County Coroner that the remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of section 7050.5 of the Health and Safety Code and the County Coordinator of Indian affairs. No further disturbance of the site may be made except as authorized by the County Coordinator Of Indian Affairs in accordance with the provisions of state law and this chapter. If artifacts are found on the site a qualified archaeologist shall be contacted along with the County Planning Office. No further disturbance of the artifacts may be made except as authorized by the County Planning Office.

F. GEOLOGY AND SOILS					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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 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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,6,24c,43
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,24c
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,24c
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,24c
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,14,23,24c
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,6,24c
d) Be located on expansive soil, as defined in the report, <i>Soils of Santa Clara County</i> , creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14,32,52,53
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 waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,32
f) Cause substantial compaction or over-covering of soil either on-site or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 6,32
g) Cause substantial change in topography or unstable soil conditions from excavation, grading, or fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 6,32

DISCUSSION:

The site is located in the State and County Seismic Liquefaction and Earthquake Induced Landslide Zone. The site could be subject to seismic ground shaking induced landslides and to liquefaction. However, a field investigation report prepared by “Engineering Geologic & Geotechnical Investigation (dated 12-17-2012)” concludes that the risks of fault rupture and landsliding are low at the site. Soil Creep is a possibility on the slopes. The recommendations include, but not limited, to deep foundations for the proposed structures and Construction Observations Letter from a Geotechnical Engineer. In addition, best management practices

(BMPs) used during construction would prevent substantial soil erosion or the loss of topsoil. (Project Description; Reference # 3, 6, 14, 24c, 32, 46, 52, 53).

The project impacts will be considered to be less than significant subject to the following mitigation.

MITIGATION:

- 1) Submit a Geotechnical Engineer's Plan Review Letter that verified the plans conform with the intent of the recommendations presented in the Engineering Geologic & Geotechnical Investigation (dated 12-17-2012). In addition, prior to Final Inspection, submit a Construction Observations Letter that verifies the work was completed in conformance with the plans. .

G. GREENHOUSE GAS EMISSIONS					
WOULD THE PROJECT	IMPACT				SOURCE
	YES			NO	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,6,9
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,8,9,10,20

DISCUSSION:

See Section II; Greenhouse Gas Emissions

MITIGATION:

None required.

G. HAZARDS & HAZARDOUS MATERIALS					
WOULD THE PROJECT	IMPACT				SOURCE
	YES			NO	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	

a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5,7
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 5,82
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,27,30,33 40
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,82
e)	For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or in the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 19,51
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,48,83
g)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,9,24b
h)	Provide breeding grounds for vectors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5,6
i)	Proposed site plan result in a safety hazard (i.e., parking layout, access, closed community, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,9,40
j)	Involve construction of a building, road or septic system on a slope of 30% or greater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,5,6,9,13, 41,87
k)	Involve construction of a roadway greater than 20% slope for a distance of 300' or more?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,5,6,9,13, 41,87

DISCUSSION:

See Section II; Hazards and Hazardous Materials

MITIGATION:

None required.

H. HYDROLOGY AND WATER QUALITY					
	IMPACT				
WOULD THE PROJECT:	YES			NO	SOURCE
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	No Impact	

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,34, 36,68,70
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,7,67,68,70
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 that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,32,35a 35b,41,
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? (Note policy regarding flood retention in watercourse and restoration of riparian vegetation for West Branch of the Llagas.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,32,35a 35b,41
e) Create or contribute increased impervious surfaces and associated runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5, 6
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5,6,67
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,24a
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,24a
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,24a
j) Be located in an area of special water quality concern (e.g., Los Gatos or Guadalupe Watershed)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,53a,53b
k) Be located in an area known to have high levels of nitrates in well water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6
l) Result in a septic field being constructed on soil where a high water table extends close to the natural land surface?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,35a,70
m) Result in a septic field being located within 50 feet of a drainage swale; 100 feet of any well, water course or water body or 200 feet of a reservoir at capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 6,40,41,70
n) Conflict with Water Collaborative Guidelines and Standards for Land Uses Near Streams?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,35b, 71

DISCUSSION:

See Section II; Hydrology

MITIGATION:

None required.

I. LAND USE					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3 4,39
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, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,22,33,39
c) Conflict with special policies:					
i) San Martin &/or South County?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,8,22,31
ii) Los Gatos Specific Plan or Lexington Watershed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,8,35a
iii) Guadalupe Watershed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,8
iv) Stanford?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,8,22
v) City of Morgan Hill Urban Growth Boundary Area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,8,22
vi) West Valley Hillside Preservation Area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,8
vii) Water Collaborative (Guidelines and Standards for Land Use Near Streams)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,71

DISCUSSION:

See Section II; Land Use

MITIGATION:

None required.

J. NOISE					
WOULD THE PROJECT:	IMPACTS				SOURCE
	YES			NO	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Result in exposure of persons to or generation of noise levels in excess of standards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,8,79

	established in the local general plan or noise ordinance, or applicable standards of other agencies?					
b)	Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,79
c)	Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3,5,79
d)	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3,79
e)	For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or private airstrip would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,5,19,22,40,51a

DISCUSSION:

(a, b, c, e)

No Impact.

The project site is located in a rural residential and commercial area. The proposed single family residence, secondary dwelling, open horse arena and barn would be for private use and are allowed by right by the County zoning ordinance. The proposed uses would not generate permanent noise levels that exceed existing ambient noise levels or standards of the Santa Clara County Noise Ordinance. The subject property is not located within an airport land use plan area or within 2 miles of a public or private airstrip.

(d)

Less Than Significant.

The project would include grading and construction of a single family residence, secondary dwelling, open horse arena and barn. Project related noise from grading and construction activities would create a temporary disturbance to neighboring properties. The County Noise Ordinance (Section B11-152) prohibits construction activities between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and Saturdays, or at any time on Sundays or holidays. In addition, exterior noise levels for construction related mobile and stationary equipment are restricted to a maximum of 75dBA in single-family residential areas. Compliance with these specifications would ensure that the neighboring properties are not adversely affected by construction related noise. Therefore, the impact would be considered *less than significant*.

MITIGATION:

None required.

K. POPULATION AND HOUSING					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant	Less Than	Less Than Significant	No Impact	

	<u>Impact</u>	<u>Significant With Mitigation Incorporated</u>	<u>Impact</u>		
a) Induce substantial growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4,30,40
b) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 4

DISCUSSION:

See Section II; Population and Housing

MITIGATION:

None required.

L. PUBLIC SERVICES					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) 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:					
i) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5, 6
ii) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5
iii) School facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5, 6

DISCUSSION:

See Section II; Public Services

MITIGATION:

None required.

M. RESOURCES AND RECREATION					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 6,32,52
b) Result in the loss of availability of a locally-important mineral resource recovery site as delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3,6,32,52
c) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 5
d) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5
e) Be on, within or near a public or private park, wildlife reserve, or trail or affect existing or future recreational opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,5,28
f) Result in loss of open space rated as high priority for acquisition in the "Preservation 20/20" report?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4,5,28,56

DISCUSSION:

See Section II; Resources and Recreation

MITIGATION:

None required.

N. TRANSPORTATION / TRAFFIC					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,5,6,30,40, 86,87

b)	Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,5,6,30,40,86
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,5,6,7,19,51a
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,5,6,7,30
e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5, 6
f)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,8,87
g)	Not provide safe access, obstruct access to nearby uses or fail to provide for future street right of way?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 6,30,87

DISCUSSION:

See Section II; Transportation/Traffic

MITIGATION:

None required.

O. UTILITIES AND SERVICE SYSTEMS					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,70
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6,70
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 6
d) Require new or expanded entitlements in order to have sufficient water supplies available to serve the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 6,24b
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3,6,70
f) Not be able to be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5,6
g) Be in non-compliance with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,5, 6

DISCUSSION:

See Section II; Utilities and Service Systems

MITIGATION:

None required.

P. MANDATORY FINDING OF SIGNIFICANCE					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1 to 52
b) Does the project have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1 to 52
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1 to 52

DISCUSSION:

a) **Less Than Significant Impact.** As discussed in the Biological Resources section, the proposed project is not located in the Santa Clara Valley Habitat Plan (SCVHP) area. The proposed project would not have the potential to substantially reduce the habitat of any 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 of, 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.

b) **No Impact.** No past, current, or probable future projects were identified in the project vicinity that, when added to project-related impacts, would result in cumulatively considerable impacts. No cumulatively considerable impacts would occur with development of the proposed project. As discussed in the analyses provided in this Initial Study, project impacts were found to be less than significant. The incremental effects of the proposed project are not cumulatively significant when viewed in context of the past, current, and/or probable future projects. No cumulative impacts would occur.

c) **No Impact.** The proposed project is a new single family residence, secondary dwelling, open horse arena and barn on a rural residential property, located in the Hillside district of unincorporated County of Santa Clara. As described in the environmental topic sections of this Initial Study, the proposed private structures and use would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

Initial Study Source List

1. Environmental Information Form (EIF)
2. Field inspection
3. Project plans
4. Working knowledge of project site and conditions
5. Planner experience with other projects of this size and nature
6. County expert sources: Geologist, Fire Marshal Office, Department of Roads & Airports, Department of Environmental Health, Land Development Engineering, Parks & Recreation, Zoning Administrator, Architectural & Site Approval Committee Secretary
7. Agency Sources: Santa Clara Valley Water District, Santa Clara Valley Transportation Authority, Midpeninsula Open Space Regional District, U.S. Fish & Wildlife Service, CA. Dept. of Fish & Game, Caltrans, U.S. Army Corps of Engineers, Regional Water Quality Control Board, Public Works Depts. of individual cities, Planning Depts. of individual cities
8. Santa Clara County (SCC) General Plan
9. SCC Zoning Ordinance
10. SCC County Grading Ordinance
11. SCC Guidelines for Architecture and Site Approval
12. SCC Development Guidelines for Design Review
13. County Standards and Policies Manual (Vol. I - Land Development)
14. Section 1803.5.3 (Expansive Soils) of the California Building Code 2010
15. SCC Land Use Database (CPO)
16. Santa Clara County Heritage Resource Inventory (including Trees)
17. Paper Maps
 - a. SCC Zoning
 - b. Barclay's Santa Clara County Local Street Atlas
 - c. Color Air Photos (MPSI)
 - d. Santa Clara Valley Water District - Maps of Flood Control Facilities & Limits of 1% Flooding
 - e. Soils Overlay Air Photos
 - f. "Future Width Line" map set
18. CEQA Guidelines [Current Edition]

SCC GEOGRAPHIC INFORMATION SYSTEM (GIS) DATABASE

19. Airport Land Use Commission (ALUC)
20. Bay Area Air Quality Management District (BAAQMD)
21. Environmental Health (DEH)
22. General Plan
23. Habitat Conservation Plan (HCP)
 - a. Study Area
 - b. Habitat Models
 - c. Habitat Data
24. Hazards
 - a. FEMA Flood Zones
 - b. Fire Zones
 - c. Geohazards
25. Historic Resources
26. Jurisdictions
27. LAFCO
28. Parks and Open Space

29. Plants and Animals
 - a. Oak Woodlands
 - b. California Natural Diversity Database (CNDDB)
30. Roads
31. San Martin
32. Soils
33. Special Areas
34. Stanford
35. Water
 - a. National Hydrography Data
 - b. Lakes, Creeks (SCVWD), Streams
36. Williamson Act Information
37. Viewshed Parcels
38. Visibility Analysis, dated 11/6/2012
39. Zoning
40. Air Photos
41. Topography, Contours and Slope
42. Base Map Overlays & Textual Reports (GIS)

AREA SPECIFIC: SAN MARTIN, STANFORD, AND OTHER AREAS

San Martin

43. San Martin Integrated Design Guidelines
44. San Martin Water Quality Study
45. Memorandum of Understanding (MOU) between Santa Clara County & Santa Clara Valley Water District

Stanford

46. Stanford University General Use Permit (GUP), Community Plan (CP), Mitigation and Monitoring Reporting Program (MMRP) and Environmental Impact Report (EIR)
47. Stanford Protocol and Land Use Policy Agreement

Specific Plan Areas

48. Los Gatos Hillsides Specific Area Plan
49. Monterey Highway Use Permit Area
50. South County Joint Area Plan

OTHER SOURCES

Airports

51. Airport Comprehensive Land Use Plans (CLUP)
 - a. South County Airport Comprehensive Land Use Plan [November 19, 2008]
 - b. Palo Alto Airport Comprehensive Land Use Plan [November 19, 2008]
 - c. Reid-Hillview Airport Comprehensive Land Use Plan [October 24, 2007]
 - d. San Jose International Airport Comprehensive Land Use Plan [May 25, 2011]
 - e. Moffett Airfield Comprehensive Land Use Plan [Spring, 2012]

Soils

52. USDA, SCS, "Soils of Santa Clara County"
53. USDA, SCS, "Soil Survey of Eastern Santa Clara County"

Initial Study Source List

Agricultural Resources/Open Space

54. Right to Farm Ordinance
55. State Dept. of Conservation, "CA Agricultural Land Evaluation and Site Assessment Model"
56. Open Space Preservation, Report of the Preservation 2020 Task Force, April 1987 [Chapter IV]
57. Williamson Act Ordinance and Guidelines (current version)

Air Quality

58. BAAQMD, Clean Air Plan
59. BAAQMD, CEQA Air Quality Guidelines (2010)
60. BAAQMD, "Annual Summary of Contaminant Excesses"
61. BAAQMD, "Air Quality & Urban Development Guidelines for Assessing Impacts of Projects & Plans", (current version)
62. Project specific Air Quality Study

Biological Resources/

Water Quality & Hydrological Resources/ Utilities & Service Systems"

63. Site-Specific Biological Report
64. Santa Clara County Tree Preservation Ordinance Section C16, Santa Clara County Guide to Evaluating Oak Woodlands Impacts, Santa Clara County Guidelines for Tree Protection and Preservation for Land Use Applications
65. Clean Water Act, Section 404
66. Riparian Inventory of Santa Clara County, Greenbelt Coalition, November 1988
67. CA Regional Water Quality Control Board, Water Quality Control Plan, San Francisco Bay Region [1995]
68. Santa Clara Valley Water District, Private Well Water Testing Program [12-98]
69. SCC Nonpoint Source Pollution Control Program, Urban Runoff Management Plan [1997]
70. County Environmental Health / Septic Tank Sewage Disposal System - Bulletin "A"
71. User Manual Guidelines & Standards for Land Uses Near Streams: A Manual of Tools, Standards and Procedures to Protect Streams and Streamside

Resources in Santa Clara County by the Santa Clara Valley Water Resources Protection Collaborative, August 2005 – Revised July 2006.

72. Guidelines and Standards for Land Use Near Streams: Streamside Review Area – Summary prepared by Santa Clara County Planning Office, September 2007.
73. County Environmental Health Department Tests and Reports

Archaeological Resources

74. Northwest Information Center (NWIC), Sonoma State University, letter dated 8/8/2012
75. Site Specific Archaeological Reconnaissance Report

Geological Resources

76. Site Specific Geologic Report
77. State Department of Mines and Geology, Special Report #42
78. State Department of Mines and Geology, Special Report #146

Noise

79. County Noise Ordinance
80. Site Specific Noise Study

Hazards & Hazardous Materials

81. California Public Resources Code, Section 21151.4
82. State Department of Toxic Substances (DTSC), Hazardous Waste and Substances Sites List
83. County Office of Emergency Services (OES) Emergency Response Plan, 1994

Sewage Disposal

84. County Lexington Basin Ordinance Relating to Sewage Disposal

Transportation/Traffic

85. Transportation Research Board, "Highway Capacity Manual", Special Report 209, 1995.
86. SCC Congestion Management Agency, "Monitoring and Conformance report" (Current Edition)
87. Official County Road Book
88. Site-specific Traffic Impact Analysis Report