

Huffman-Broadway Group, Inc.

ENVIRONMENTAL REGULATORY CONSULTANTS

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April 22, 2020

Sent Via Email

Mr. Alex Diaz
Los Pinos Apartments LLC
5885 Mountain Hawk Drive
Santa Rosa, CA 95409
alexdiame@icloud.com

Subject: Riparian Corridor Setback Assessment, Los Pinos Apartment Project, Sonoma County, California

Dear Mr. Diaz,

In accordance with Sonoma County's request, Huffman-Broadway Group, Inc. (HBG) has prepared this Riparian Corridor Setback Assessment letter report for the Los Pinos Apartments Project (Project). Sonoma County Policy OSRC-8a classifies three distinct riparian corridors and OSRC-8b provides setback guidelines for establishing streamside conservation areas along the top-of-bank of each defined riparian corridor. Based on Sonoma County Policy OSRC-8a, the top-of-bank of Todd Creek is defined as "*Other Riparian Corridors*". In accordance with Sonoma County Policy OSRC-8b, for *Other Riparian Corridors* a 50-foot setback should be established as a streamside conservation area.

The purpose of this Riparian Corridor Setback Assessment (Assessment) is to determine if the Project's encroachment into 30 feet of the 50-foot setback provides appropriate protection of the biotic resources, water quality, floodplain management, bank stability, groundwater recharge, and other applicable riparian functions such as habitat for avian species commonly found near or within the riparian corridor. This Assessment is based on the Current Site Conditions, details in the Landscape Plan, and implementation of Conservation Measures.

1) Current Site Condition:

The eastern boundary of the Project site is approximately 20 feet from the top-of-bank of Todd Creek and extends approximately 150 linear feet parallel to Todd Creek. Thirty (30) feet of the 50-foot buffer is on the Project site.

Todd Creek is a perennial creek approximately 25 feet wide from top-of-bank to top-of-bank with riparian vegetation dominated by arroyo willow (*Salix lasiopolis*), and also Coast live oak (*Quercus agrifolia*), broadleaf cattail (*Typha latifolia*) and other riparian species. The creek would be classified as "confined" based on the definition provided by the California Rapid

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Assessment Method, or CRAM, meaning the creek is unlikely to overflow its banks and use the adjacent lands as an active floodplain.¹

The riparian vegetation extends up to and ends at approximately the top-of-bank of Todd Creek. The *Other Riparian Corridor* extends from the top-of-bank going west for approximately 20 linear feet to the Project's eastern boundary. Within the 20-foot buffer area there is an approximately 10-foot wide pedestrian asphalt path running parallel to Todd Creek with an approximately 5-foot strip of non-native grass on each side of the pedestrian trail for a total of 20 feet. The *Other Riparian Corridor* extends 30 feet into the Project site along the eastern boundary. This 30-foot area is dominated by non-native grasses, one coyote brush (*Baccharis pilularis*) shrub, and no trees. Non-native grasses currently found within the eastern portion of the project site within the riparian setback include species such as Italian ryegrass (*Festuca perennis*), wild oat (*Avena fatua*), Harding grass (*Phalaris aquatica*), English plantain (*Plantago lanceolata*), bristly ox-tongue (*Helminthotheca echioides*), common yarrow (*Achillea millefolium*), field bindweed (*Convolvulus arvensis*), wild carrot (*Daucus carota*), and horseweed (*Conyza canadensis*). The 20-foot area along the public trail and the 30-foot area on the Project site are often occupied by homeless encampments which generate trash, disrupt movement of diurnal and nocturnal terrestrial wildlife, and likely result in trash and human waste entering Todd Creek.

Based on observations HBG staff biologists have made during several site visits over the course of the past year, the pedestrian path is heavily used during the day by walkers and cyclists and is commonly used by homeless as temporary encampments. These encampments are within the 50-foot buffer area and extend into the Project site. The encampments generate large amounts of trash and, due to the absence of bathrooms, it's assumed human waste is also generated. The trash and human waste generated from these encampments can easily enter Todd Creek from rain events or can be blown in from wind events. Wildlife use from terrestrial animals during the day is impacted due to the use of the public trail and is likely adversely impacted for nocturnal animals due to the nightly activity generated by the encampments.

Within the 30 linear feet of the 50-foot buffer which extends onto the Project site, the property owner has, on a regular basis, removed the encampments and trash from his property only to find the encampments to quickly recolonize. During a site visit by an HBG biologist on April 10, 2020 a new encampment composed of several tarps and piles of garbage (plastics, bicycle parts, paper waste etc.) was noted on the southeast corner of the Project site.²

¹ An active floodplain is defined by CRAM as the relatively level area that is periodically flooded, as evidenced by deposits of fine sediment, wrack lines, vertical zonation of plant communities, etc. HBG staff biologist did not observe evidence of periodic flooding within the 30-foot buffer area during several site visits or during review of historical aerials on Google Earth Pro going back 10 years.

² The Project site was cleared of garbage and the encampments approximately 4 months prior to the April 10 site visits, however, homeless moved back in within a few months.

2) Landscape Plan Within the 30-foot Buffer:

Based on the landscape site plan titled “*Preliminary Landscape Plans Los Pinos Residential Development*” Sheet L1.0 dated February 21, 2020 (refer to Exhibit A), the first 15 feet of the 30-foot buffer area on the Project site would be planted with native trees, shrubs and herbaceous plants for the entire 150 linear feet, providing a 100% vegetated buffer area. The remaining 15 feet extending west would extend the native vegetation along 45 linear feet, mostly concentrated in the north and south corners providing a total 50-foot buffer area from Todd Creek. The remaining 105 feet of the 15-foot buffer area would consist of a mix of raised bed gardens for the residents and pervious surface pathways and pervious surface parking lot backup area.

In summary, a 35-foot wide *Other Riparian Corridor* buffer would be provided along the entire 150 feet of the Project boundary (15 feet on the Project site and 20 feet along the public path), and a 50-foot wide *Other Riparian Corridor* buffer would extend for 45 linear feet along the 150-foot boundary, with the remaining area consisting of pervious surfaces and raised beds for the residents to have a garden.

3) Conservation Measures:

To ensure the long term protection of the biotic resources, water quality, floodplain management, bank stability, groundwater recharge, and other applicable riparian functions such as habitat for avian species, invertebrates and small mammals commonly found near or within the riparian corridor, the Applicant will, as a condition of approval by the County, record a deed restriction along the 150 linear feet of the eastern boundary encompassing the 30-foot wide area of the 50-foot *Other Riparian Corridor* buffer with the following conditions:

1. The use of the first 15 feet of the 30-foot wide buffer area will be restricted to establishing a 100% vegetated buffer using only native plants as shown on, or similar to, Exhibit A.
2. The use of the 30-foot wide buffer along the north and south corners, as shown on Exhibit A, will be restricted to establishing a 100% vegetated buffer using only native plants as shown on, or similar to, Exhibit A.
3. The non-vegetated areas within the buffer area, such as the raised garden beds pedestrian pathways and parking lot backup space shall consist of permeable surfaces.
4. The use of herbicides, pesticides or synthetic fertilizer will be prohibited within the 30-foot buffer area. Any weeding will need to be conducted using hand tools not herbicides.
5. Trash shall be picked up within the buffer area on a quarterly basis to minimize the chance of trash being washed or blown into Todd Creek.

4) Assessment Conclusion:

Based on the current site conditions and implementation of the Landscape Plan and Conservation Measures, HBG has determined impacts from the encroachment into the 50-foot buffer would be less than significant and would not adversely impact the biotic resources, water quality, floodplain management, bank stability, groundwater recharge, and other applicable riparian functions such as habitat for avian species, invertebrates and small mammals commonly found near or within the riparian corridor for the following reasons:

Biotic Resources: Current site conditions are relatively homogenous and provide one plant layer or community, grassland, that is dominated by non-native grasses; no horizontal interspersions, meaning the area is dominated by one plant community, grasses; and no vertical biotic structure other than short herbaceous vegetation (i.e. grasses).

Implementation of the Landscape Plan will provide a more complex biotic structure that will complement, and benefit, the biotic resources between the Project site and Todd Creek. The landscape plan will:

- increase the plant layer structure from one layer of non-native grasses to three layers consisting of native herbaceous plants (grasses, forbs, flowering plants) and woody shrubs and trees;
- provide horizontal interspersions of plants moving from trees, to shrubs, to medium and short herbaceous plants; and,
- increase the vertical biotic structure with the various heights of the vegetation from short herbaceous material to medium and tall shrubs and trees. Vertical biotic structure will provide good habitat for avian and invertebrate species, and some amphibians, moving to and from Todd Creek, a biotic structure which currently does not exist.
- The raised garden beds, although they are not natural, will provide a variety of flowering plants attracting many insects that in turn attract avian species, particularly insectivores such as flycatchers or warblers, that may predate on insects.

Water Quality: Encroachment into the buffer will not adversely impact water quality, and it may benefit water quality in a limited way. Implementation of a conservation measure restricting the use of herbicides, pesticides, or synthetic fertilizer will prevent this encroachment from adversely impacting water quality. The permanent removal of homeless encampments on the Project site may reduce the amount of trash that enters Todd Creek and any human waste associated with the encampments. This may have a beneficial impact to water quality.

Floodplain Management: Encroaching into the buffer area will have no impact on Floodplain Management for the following reasons:

- Encroachment will not prevent current floodplain management activities such as trimming vegetation growth and removing sediment within Todd Creek;
- This stretch of Todd Creek appears to be confined to its banks, under normal circumstances, therefore the buffer area within the project site is not part of an active

floodplain. If Todd Creek does overtop its banks in a 100+ year flood event, the conservation measures limiting the buffer area to those uses described above (e.g. native plants, landscaping, raised garden beds etc.) will allow the area to flood without damaging structures such as residential homes, utilities etc.

Bank Stability: No impacts to bank stability are anticipated. Surface stormwater will be allowed to continue to move through the soil surface and laterally to Todd Creek. The Project site and landscape area within the 30-foot buffer will not generate concentrated flows of water that could impact bank stability as would infrastructure such as a culvert.

Groundwater Recharge: The landscaped area and pervious surfaces within the buffer area will allow surface water to continue to move through the soil profile and recharge groundwater and/or flow horizontally into Todd Creek.

Other Applicable Riparian Functions: Current site conditions provide limited habitat for avian species, invertebrates, amphibians and small mammals. Implementation of the landscape plan, permanent removal of the homeless encampment(s) and trash, and implementation of the conservation measures should improve habitat quality and functions associated with riparian corridors and open space adjacent to riparian corridors, and habitat for avian species, invertebrates, amphibians and small mammals.

If you have any questions, please feel free to contact me at 415.385.4106, rperrera@h-bgroup.com or Gary Deghi (650.208.8711, gdeghi@h-bgroup.com).

Sincerely,

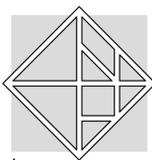
**Robert F.
Perrera**

Digitally signed by
Robert F. Perrera
Date: 2020.04.22
17:22:53 -07'00'

Robert F. Perrera
Wetlands Regulatory Scientist

Exhibit A

Preliminary Landscape Plans Los Pinos Residential Development, Sheet L1.0



tangram
LANDSCAPE ARCHITECTURE

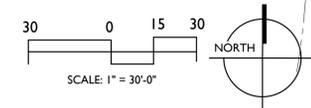
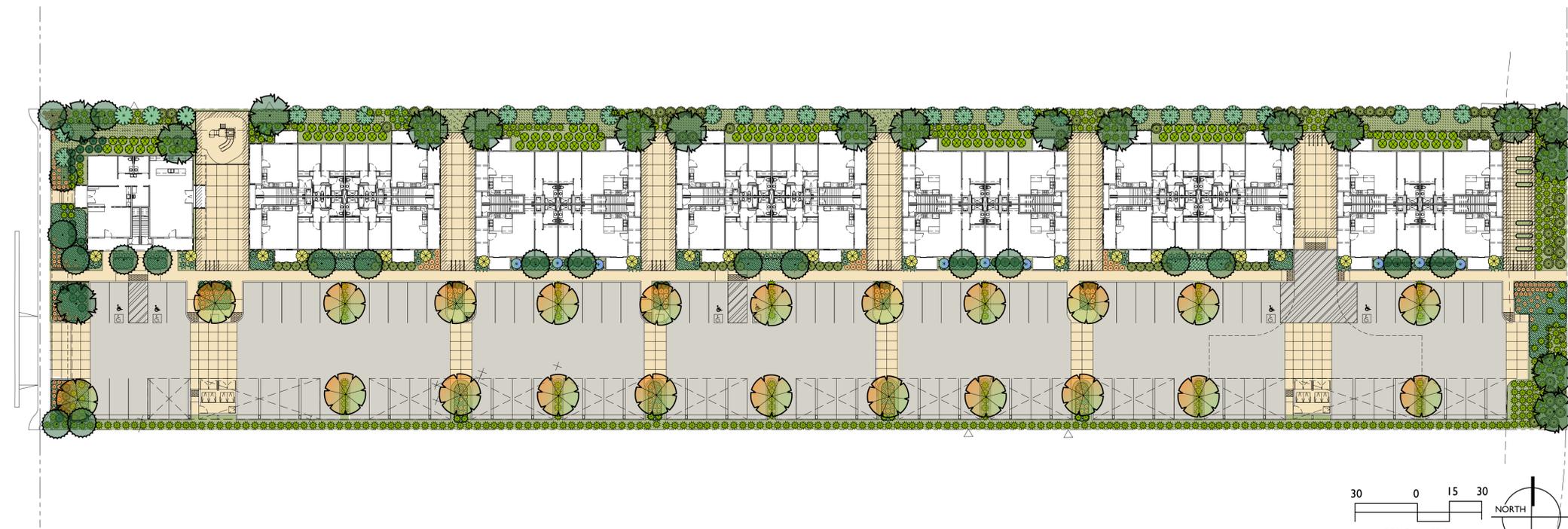
944 RIPLEY STREET
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PRELIMINARY LANDSCAPE PLANS
LOS PINOS RESIDENTIAL DEVELOPMENT

3496 Santa Rosa Avenue, Santa Rosa, CA



- ACER X FREEMANII 'JEFFERSRED'
- PINUS FLEXILIS
- PINUS CONTORTA
- X CHITALPA TASHKENTENSIS 'PINK DAWN'
- AGASTACHE 'CORONADO RED'
- BACCHARIS PILULARIS
- ELYMUS CONDENSATUS 'CANYON PRINCE'
- FRANGULA CALIFORNICA SSP. TOMENTELLA
- MUHLENBERGIA LINDHEIMERI
- PITTOSPORUM TENUIFOLIUM 'OLIVER TWIST'
- PHLOMIS LANATA
- ROSEMARY OFFICINALIS 'BLUE SPIRES'
- SALVIA GREGGII
- SALVIA CLEVELANDII 'WINIFRED GILMAN'
- PINUS MUGO
- JUNCUS PATENS
- HELICTOTRICHON SEMPERVIRENS
- AUTUMN BLAZE MAPLE
- INCENSE CEDAR
- LODGEPOLE PINE
- CHITALPA
- HUMMINGBIRD MINT
- COYOTE BUSH
- GIANT RYE GRASS
- CALIFORNIA COFFEEBERRY
- LINDHEIMER'S MUHLY
- OLIVER TWIST KOHUHU
- DWARF JERUSALEM SAGE
- TUSCAN BLUE ROSEMARY
- AUTUMN SAGE
- CLEVELAND SAGE
- DWARF MUGO PINE
- CALIFORNIA GRAY RUSH
- BLUE OAT GRASS



Lodgepole Pine



Limber Pine



Chitalpa



California Gray Rush



Coyote Bush



California Coffeeberry

natural landscape along primary bioretention and sideyards



Deer Grass



Hummingbird Mint



Giant Rye Grass



Autumn Sage



Blue Oat Grass

transitional landscape along frontage and parking perimeters



Oliver Twist Kohuhu



Dwarf Jerusalem Sage



Blue Rose Rosemary



Cleveland Sage



Mugo Pine



Autumn Blaze Maple

color and massed landscape at courtyard and building entry

parking shade tree

REVISIONS		
DATE	TITLE	NO.
		1
		2

PROJECT NO.	1909
DRAWN BY	RLC
SCALE	AS INDICATED
DATE	2-21-2020
PHASE	PRELIMINARY LANDSCAPE PLANS

SHEET TITLE

LANDSCAPE
CONCEPT

SHEET NO.

L1.0