



***Proposed  
Mitigated Negative Declaration***

Publication Date: April 30, 2021  
Public Review Period: April 30 to May 31, 2021  
State Clearinghouse Number: #####  
Permit Sonoma File Number: **UPE18-0054**  
Prepared by: Southisone Garner  
Phone: (510) 845-7549

Pursuant to Section 15071 of the State CEQA Guidelines, this proposed Mitigated Negative Declaration and the attached Initial Study, including the identified mitigation measures and monitoring program, constitute the environmental review conducted by the County of Sonoma as lead agency for the proposed project described below:

**Project Name:** **UPE18-0054**

**Project Applicant:** Michael Swicegood, Swicegood Civil Engineering, Inc., as agent for Project Operator and Site Owner

**Project Operator:** Sts. Peter and Paul Russian Orthodox Church

**Site Owner:** Sts. Peter and Paul Fund, LLC

**Project Location/Address:** 3367 Stony Point Road, Santa Rosa, CA 95407

**APN:** 134-082-055

**General Plan Land Use Designation:** Rural Residential

**Zoning Designation:** Agriculture and Residential District (AR), 5-acre Density (B6 5), and Valley Oak Habitat Combining District (VOH)

**Decision Making Body:** Sonoma County Board of Zoning Adjustments

**Appeal Body:** Sonoma County Board of Supervisors

**Project Description:** See Item VI, below

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or “Less than Significant with Mitigation” as indicated in the attached Initial Study and in the summary table below.

**Table 1. Summary of Topic Areas**

Topic Area	Abbreviation	Yes	No
Aesthetics	VIS		X
Agricultural & Forestry	AG		X
Air Quality	AIR	X	
Biological Resources	BIO	X	
Cultural Resources	CUL		X
Energy	ENE		X
Geology and Soils	GEO	X	
Greenhouse Gas Emission	GHG		X
Hazards and Hazardous Materials	HAZ		X
Hydrology and Water Quality	HYDRO		X
Land Use and Planning	LU		X
Mineral Resources	MIN		X
Noise	NOISE	X	
Population and Housing	POP		X
Public Services	PS		X
Recreation	REC		X
Transportation	TRAF		X
Tribal Cultural Resources	TCR	X	
Utility and Service Systems	UTL		X
Wildfire	WILD		X

## RESPONSIBLE AND TRUSTEE AGENCIES

The following lists other public agencies whose approval is required for the project, or who have jurisdiction over resources potentially affected by the project.

**Table 2. Agencies and Permits Required**

<b>Agency</b>	<b>Activity</b>	<b>Authorization</b>
U.S. Army Corps of Engineers	Filling of wetlands	Clean Water Act, Section 404
Regional Water Quality Control Board (North Coast or San Francisco Bay)	Discharge or potential discharge to waters of the state	California Clean Water Act (Porter Cologne) – Waste Discharge requirements, general permit or waiver
Regional Water Quality Control Board (North Coast or San Francisco Bay)	Wetland dredge or fill	Clean Water Act, Section 404
State Water Resources Control Board	Generating stormwater (construction, industrial, or municipal)	National Pollutant Discharge Elimination System (NPDES) requires submittal of NOI
California Department of Fish and Wildlife	Lake or streambed alteration	Fish and Game Code, Section 1600
Bay Area Air Quality Management District (BAAQMD)	Stationary air emissions/ Green House Gas Emissions	BAAQMD Rules and Regulations (Regulation 2, Rule 1 – General Requirements; Regulation 2, Rule 2 – New Source Review; Regulation 9 – Rule 8 – NOx and CO from Stationary Internal Combustion Engines; and other BAAQMD administered Statewide Air Toxics Control Measures (ATCM) for stationary diesel engines
U. S. Fish and Wildlife Service (FWS) and or National Marine Fisheries Service (NMFS)	Incidental Take permit for listed plant and animal species	Endangered Species Act
Native American Heritage Commission	Potential impact on Tribal resources	
State Historic Preservation Office	Potential impact on historic or cultural resources	Historic Preservation Act

## ENVIRONMENTAL FINDING:

Based on the evaluation in the attached Initial Study, I find that the project described above will not have a significant adverse impact on the environment, provided that the mitigation measures identified in the Initial Study are included as conditions of approval for the project and a Mitigated Negative Declaration is proposed. The applicant has agreed in writing to incorporate identified mitigation measures into the project plans.

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Prepared by: Southisone Garner

Date: [mmmm/dd/yyyy]

FOR SITE OWNER

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[Printed name of signatory]

Date: [mmmm/dd/yyyy]

[Title of signatory]

Sts. Peter and Paul Fund, LLC

FOR PROJECT OPERATOR

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[Printed name of signatory]

Date: [mmmm/dd/yyyy]

[Title of signatory]

Sts. Peter and Paul Russian Orthodox Church



## ***Initial Study***

### **I. INTRODUCTION:**

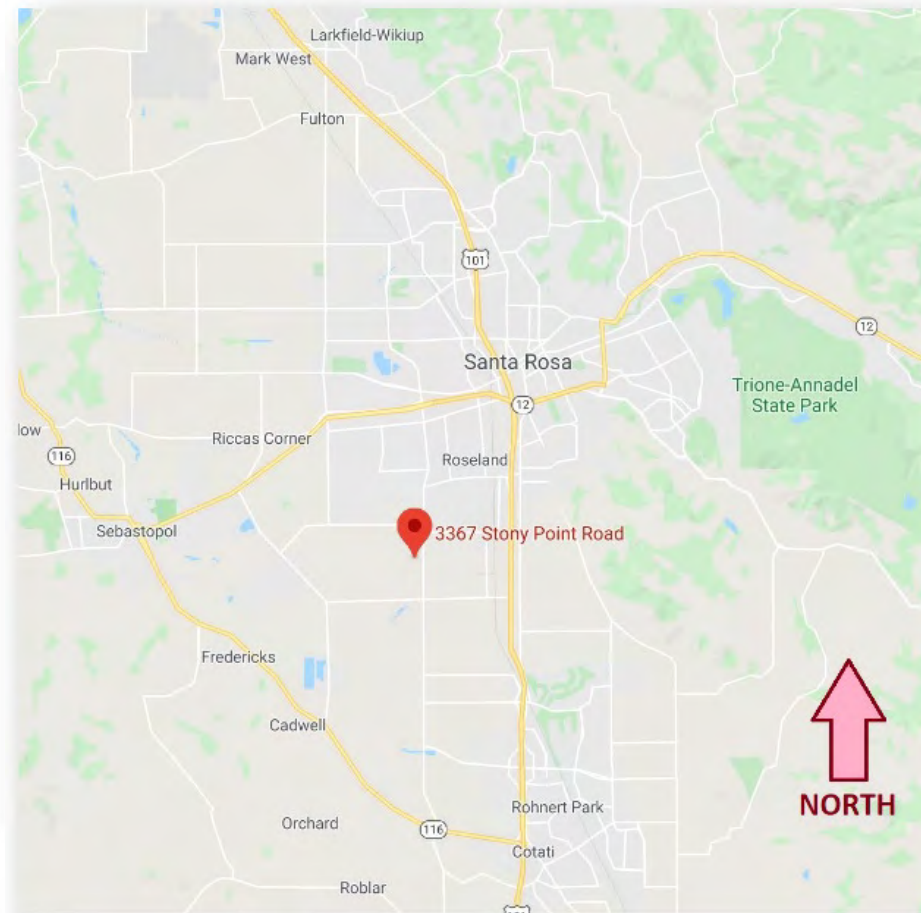
Saints Peter and Paul Russian Orthodox Church (SPPROC) requests a Use Permit to develop a cemetery containing a 10.07-acre burial ground to be built in three phases on a 21-acre parcel. The project site is located at 3367 Stony Point Road in Santa Rosa, California 95407 (APN 134-082-055). The project site is located west of Stony Point Road and north of Todd Road and currently supports cattle grazing. Existing structures onsite include a single-family residence, a barn, workshop and shed on the eastern portion of the site. The proposed cemetery would include a burial ground covering 10.07 acres, a 960-square foot refrigeration building, 960-square foot equipment storage building, a 320-square foot columbarium, access roads, and memorial plaza.

This report is the Initial Study required by the California Environmental Quality Act (CEQA). The report was prepared by Southisone Garner, Contract Project Planner with MIG. Information on the project was provided by Michael Swicegood of Swicegood Civil Engineering, Inc. Other reports, documents, maps and studies referred to in this document are available for review at the Permit and Resource Management Department (Permit Sonoma).

Please contact Southisone Garner, Contract Project Planner, at (510) 845-7549 for more information.

### **II. SITE LOCATION**

The project site is located at 3367 Stony Point Road in Santa Rosa, California 95407 (APN 134-082-055). The project site is located west of Stony Point Road and north of Todd Road and currently supports cattle grazing and has a few structures including a single-family residence, a barn, workshop and shed on the eastern portion of the site. The 21-acre parcel is zoned Agriculture and Residential District (AR), and Valley Oak Habitat Combining District (VOH) and is located within the South Santa Rosa Area Plan.



*Figure 1. Project Site Vicinity  
(Google Maps, 2020)*

### **III. PROJECT OVERVIEW**

Saints Peter and Paul Russian Orthodox Church (SPPROC) is requesting a Use Permit to allow for a three-phase, 10.07-acre cemetery on a 21-acre parcel. Phase I includes demolition of an existing barn and garage; construction of a 960-square foot refrigeration building, a 960-square foot equipment storage building, and a 320-square foot columbarium; construction of an approximately 0.35-mile onsite access road, which is 14 or 20 feet wide depending on the section, and connects the burial areas, proposed monument plaza, and neighboring church property to Stony Point Road; and a 2.46-acre cemetery burial area. Phase II includes construction of a memorial plaza and an additional 5.3 acres of cemetery burial area. Phase III includes an additional 2.31 acres of cemetery burial area.

Project facilities would be developed in three phases over an anticipated 65-year period. Burials would begin after completion of the first phase, and the applicant expects four burials per month, on average. In total, the proposed cemetery will accommodate interment of approximately 4,125 tombs, and the applicant anticipates that the entire burial area would be filled over an 86-year timeframe. Access to the cemetery would be provided by a driveway from Stony Point Road and a new gravel access road. The access road would connect the burial grounds to the road and to the church that would operate the cemetery. The project site would be landscaped with oak trees and other vegetation to screen onsite development.

The project is not located in a scenic landscape unit, as designated by the Sonoma County Zoning Regulations.<sup>1</sup> The project site does not have a Riparian Corridor designated by the Sonoma County General Plan.<sup>2</sup>

#### **IV. EXISTING FACILITY**

Most of the property is undeveloped; however, on the eastern portion of the site, onsite structures include a 900-square foot single family residence in the southeastern corner of the site, an approximately 3,200-square foot former milking barn, a workshop and a shed. The workshop space was constructed as an addition to the milking barn on the northern portion of the barn. A well and concrete cistern are located west of the dwelling, but the well is no longer in use as a domestic water source due to contamination. The residence is equipped with a septic leach field and receives water from a well on the adjacent church property. The barn contains a laundry room and a toilet which is served by a septic system. Figure 4 shows the final overall site plan after Phase 3 buildout.

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<sup>1</sup> Sonoma County. General Plan 2020 Open Space Map. "Scenic Landscape Units fig. OSRC-1," accessed January 10, 2020. <https://sonomacounty.ca.gov/WorkArea/DownloadAsset.aspx?id=2147542644>

<sup>2</sup> Sonoma County. General Plan 2020 Open Space Map. "Santa Rosa and Environs fig. OSRC-5e," accessed March 31, 2020. <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Open-Space-and-Resource-Conservation/>





Figure 2. Phase 1 Site Plan  
(Swicegood Civil Engineering, 2019)





Figure 3. Phase 2 Site Plan  
(Swicegood Civil Engineering, 2019)



Figure 4. Phase 3 Site Plan  
(Swicegood Civil Engineering, 2019)

## V. SETTING

The project site is located in central Sonoma County southwest of the City of Santa Rosa and approximately 1.4 miles west of Highway 101 and 2.4 miles south of Highway 12. The proposed project is located at 3367 Stony Point Road on a 21-acre parcel developed with a residence, barn, workshop and two sheds. The site is located in an area characterized by open flat grasslands and interspersed rural development. The project parcel is zoned Agriculture and Residential (AR), B6 5, Valley Oak Habitat (VOH), and is within the boundaries of the South Santa Rosa Area Plan. The project site is currently served by onsite and offsite wells for agricultural and residential water uses. The property is also improved with an existing septic leach field which serves residential waste disposal needs.

The site is accessed directly from Stony Point Road, a major north/south thoroughfare. The area around the project site is partially developed and characterized by open agricultural grasslands for cattle grazing and agricultural residences, with limited commercial, including an animal pharmacy to the north of the property and an adjacent church to the south that would operate

the cemetery. To the west and east of the project are rural residential properties. Colgan Creek, which is interconnected to the Laguna de Santa Rosa, is approximately 840 feet to the east of the project site. In the project vicinity, Todd Road is a local connector road with a width of approximately 22 feet and no sidewalks. Stony Point Road is a throughway with a width of approximately 50 feet and no sidewalks. Stony Point Road has an existing peak hour traffic volume of 1,655 vehicles.<sup>3</sup>

Existing Uses: The project site is mostly undeveloped and currently used as grazing land for cattle. There is an occupied single-family residence onsite and a 3,200-square foot barn with associated shed and workshop.

Topography and Drainage: The topography of the site is relatively flat. Elevations across the property range from approximately 95 to 100 feet above mean sea level (msl). The existing storm drainage system is located along the northern and western limits of the parcel.

Vegetation: The majority of the project site is grazed grassland. The site contains two oak trees that are located at the center of the site. A protocol rare plant survey was conducted, and two special-status plant species were found onsite, Sebastopol meadowfoam (*Limnanthes vinculans*) and Lobb's buttercup (*Ranunculus lobbii*).

A preliminary wetland delineation concluded that an approximately 23.5-acre study area that included the entirety of the project site contains approximately 3.33 acres of wetland areas. Three types of wetlands were delineated including seasonal wetland depressions (0.31-acre), seasonal wetland swales (1.96-acres), and vernal pools (1.06-acres). The report also concluded that these wetlands are connected to navigable waters (Laguna de Santa Rosa and Russian River) and therefore meet the definition of "Waters of the United States" under Section 404 of the Clean Water Act.

## **VI. PROJECT DESCRIPTION**

Proposed Buildings and Uses: The project would be completed in three phases, see Figures 2-4.

**Phase I:** Phase I includes demolition of the existing 3,200-square foot barn and reconstruction of a 960-square foot storage building into an equipment storage building and parking lot, abandonment of the existing septic system, construction of a new 960-square foot refrigeration building, and construction of a 320-square foot columbarium. The new refrigeration building is proposed to be built south of the existing milk barn and would provide cold storage for up to eight bodies when weather conditions do not allow for immediate interment in the cemetery. A 320-square foot columbarium is proposed with capacity to hold an additional 20 remains. A

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<sup>3</sup> Illingworth & Rodkin, Inc. 2019. "Saints Peter and Paul Russian Orthodox Churchyard Cemetery Environmental Noise and Vibration Assessment," prepared February 28, 2019.

backup generator is proposed to serve the refrigeration building in case of power outage. The chillers and generator would be screened to the north, east, and south by existing and proposed project structures.

A 960-square foot equipment storage building and 27-space parking area would be built in the same area as the demolished milk barn. The storage building would hold landscaping and maintenance equipment. Additionally, the first segment of an internal gravel access road from Stony Point Road to a future memorial plaza would be constructed; this road would be 20 feet wide and approximately 475 feet in length. Construction of this road would require culverting of a seasonal wetland over two areas between Stony Point Road and the proposed memorial plaza. The plaza is proposed at the center of the 21-acre subject parcel, at the most eastern extent of Phase I of the cemetery burial ground.

Phase I of the project would include preparation of 2.46 acres of cemetery burial area, which would eventually accommodate about 984 graves (approximately 400 graves per acre).

**Phase II:** Phase II includes completing the construction of the memorial plaza. As part of this effort, a monument would also be constructed. Specific design details, such as size, height, and construction materials are not known at this time. Phase II also includes the construction of the second segment of the access road that would connect the memorial plaza and the Stony Point Road entrance to additional burial grounds to the east as well as St. Olga Court (which is located on adjacent church property to the south); this portion of the access road would be 14 or 20 feet wide depending on the section and approximately 1,100 feet in length. Construction would also include the fill of 0.48 acres of wetland to accommodate new burial grounds and the access road. After Phase II construction, a total of 7.76 acres of burial area would be available.

**Phase III:** No additional buildings would be constructed, and the final 2.31 acres of burial area would be prepared and made available. The final segment onsite access road would be constructed which is proposed to be 265 feet long and 20 feet wide; it would extend reaches of the road to the third burial area and require culverting of a seasonal wetland.

Cemetery Operations: Hours of operation are proposed to be between 9:00 a.m. to 5:00 p.m., Monday through Sunday. Administrative operations, including scheduling, would be conducted by the church's existing staff on the adjacent church site. Maintenance operations, including groundskeeping and grave opening/closing, would be handled by contracted staff. The project involves the interment of approximately 4,125 tombs over a three phase, 86-year, period. Standard burial depth of the tombs would be six feet and on average 400 tombs would be interred per acre. The typical timeline for grave excavation, burial ceremony, backfill and erosion control is reported by the applicant to be less than 24 hours. The cemetery anticipates an average of four interments per month. Post burial erosion control practices include applying seed and straw on the disturbed earth. During wet weather periods, the cemetery proposes to have temporary storage in the proposed refrigeration building for the deceased in the instance



that weather conditions do not allow for burial due to elevated groundwater conditions or saturated soils.

Cemetery Services: The cemetery expects to host four to six gravesite services per month which would typically be attended by five to 25 people and last less than an hour; not all smaller gatherings include burials. It is anticipated that the total onsite time for attendees would be under two hours. The cemetery would also conduct up to four larger gatherings per year. The largest of these gatherings would be an Easter celebration and church service. The Easter gathering would be held adjacent to the existing church building, with small groups congregating throughout the site. This celebration would accommodate up to 150 attendees, depending on the number of interred at the time of celebration. The other three gatherings are reserved for larger grave site services. Portable restroom facilities would be made available during these gatherings.

Parking: The applicant is proposing development of an impervious parking lot with 27 spaces (which are approximately dimensioned as 20 feet in length and 10 feet in width), eight for larger vehicles and one permanent ADA-compliant parking space near the storage building; the parking area would occupy approximately 5,400 square feet. Overflow parking would be provided along the cemetery access roads and at the adjacent church's property. The proposed construction is subject to review and approval by Sonoma County as part of the use permit application.

Access: All access and egress for vehicles would be via two proposed driveways. The existing driveway off Stony Point Road would be improved to commercial entrance standards. This entrance would provide access to the existing residence, proposed cemetery, and proposed equipment storage and refrigeration buildings during Phase I. During Phase II, an additional entrance off Saint Olga Court is proposed. The existing onsite single-family residence would be unaltered and continue to be inhabited under the project.

Domestic Wastewater Disposal: The onsite residence's domestic water supply is provided by the well located on the church property (APN 134-082-054). The septic tank and leach field that serve the onsite residence are located to the southwest of the residence.

Proposed onsite special events would be limited to less than two hours, no food or beverages would be served, and no onsite restroom facilities are proposed. An ADA-compliant restroom on the church property serves the church staff. For larger events, portable restrooms would be provided to serve the attendees. An ADA-compliant pathway from the proposed cemetery to the restroom on the church property would be built as part of Phase II.

Water Supply: The subject property is served by two groundwater sources, one onsite well and one offsite well. On the project site, a well located at the southeastern portion of the project site is used for cattle grazing; it is not used for domestic purposes due to concerns over

contamination. The second well, which serves the residence on the property, is located on the adjacent church property (APN 134-082-054). This well will not be used for irrigation of the proposed cemetery.

Landscaping: Oak trees would be planted along the onsite access road, property frontage, and along portions of the property's northern and southern boundaries to screen the project from neighboring private properties. No existing trees would be removed. Portions of the project would also be landscaped with a natural lawn substitute, Lippia Nodiflora Kurapia, which is a drought tolerant ground cover.

Construction Schedule:

**Phase I:** Construction activities include a two-week demolition of a 3,200-square foot barn, site preparation, grading, building construction, paving, and architectural coating. The following equipment would be used: excavator, grader, loader, sheepsfoot roller, drum roller, water truck, two dump trucks. The closest residences are located about 300 feet southeast and 400 feet northeast of Phase I construction.

**Phase II:** Construction activities include ground disturbance, such as site preparation, grading, as well as on- and off-site travel. The following equipment would be used: grader, loader, sheepsfoot roller, drum roller, water truck, two dump trucks. The closest residence is about 123 feet south of Phase II construction.

**Phase III:** Construction activities include ground disturbance, such as site preparation, grading, as well as on- and off-site travel. The following equipment would be used: grader, loader, sheepsfoot roller, drum roller, water truck, two dump trucks.

Grading, Earthwork, and Impervious Surface: The project involves grading to construct the new equipment and refrigeration buildings, memorial plaza, and onsite roads. Cutting and filling are proposed for all three phases. 900 cubic yards (CY) are planned to be cut, and 500 CY of fill would be hauled offsite. During Phase II, 400 CY of cut would be used to fill wetland areas on the eastern portion of the property; 0.48-acres of wetlands would be filled between Stony Point Road and the memorial plaza. No fill would be imported onsite. The cut and fill numbers proposed include:

**Phase I:** 350 CY cut to be hauled offsite, and 350 CY gravel road base fill.

**Phase II:** 400 CY cut to fill 0.48-acres of seasonal wetland area.

**Phase III:** 150 CY cut to be hauled offsite, and 150 CY gravel road base fill.

Cut soil from Phases I and III would be hauled offsite to an approved receiver. Debris from the barn demolition would be hauled to the nearest landfill. Overall, the project would create



7,530 square-feet (0.17-acre) of new or reconstructed impervious surface. Of this total, 1,920 square feet would be attributed to the development of two new storage and refrigeration buildings and 5,610 square feet would be attributed to the impervious asphalt parking area.

## **VII. ISSUES RAISED BY THE PUBLIC OR AGENCIES**

A referral packet was drafted and circulated to inform and solicit comments from relevant local and state agencies as well as special interest groups that were anticipated to take interest in the project. Permit Sonoma initially notified Native American Tribes pursuant to Assembly Bill 52 (AB 52) on August 16, 2018.

The project planner has received responses to the referral from the following agencies and entities: Sonoma County Department of Transportation & Public Works, Sonoma County Grading & Stormwater, Sonoma County Department of Health Services, Rincon Valley Fire Protection District, Permit Sonoma Natural Resources Section and Geologist, Sonoma County Public Health Division Environmental Health & Safety Program, Permit Sonoma Project Review Health Specialist, the Northwest Information Center. Permit Sonoma received responses to the AB 52 notifications from Graton Rancheria, Stewarts Point Rancheria, Middletown Rancheria, and Lytton Rancheria. The project planner has received one additional public comment not affiliated with the entities listed above.

## **VIII. EVALUATION OF ENVIRONMENTAL IMPACTS**

This section analyzes the potential environmental impacts of this project based on the criteria set forth in the State CEQA Guidelines and the County's implementing ordinances and guidelines. For each item, one of four responses are given:

**No Impact:** The project would not have the impact described. The project may have a beneficial effect, but there is no potential for the project to create or add increment to the impact described.

**Less Than Significant Impact:** The project would have the impact described, but the impact would not be significant. Mitigation is not required, although the project applicant may choose to modify the project to avoid the impacts.

**Potentially Significant Unless Mitigated:** The project would have the impact described, and the impact could be significant. One or more mitigation measures have been identified that will reduce the impact to a less than significant level.

**Potentially Significant Impact:** The project would have the impact described, and the impact could be significant. The impact cannot be reduced to less than significant by

incorporating mitigation measures. An environmental impact report must be prepared for this project.

Each question was answered by evaluating the project as proposed; that is, without considering the effect of any added mitigation measures. The Initial Study includes a discussion of the potential impacts and identifies mitigation measures to substantially reduce those impacts to a level of insignificance where feasible. All references and sources used in this Initial Study are listed in the Reference section at the end of this report and are incorporated herein by reference. References for which an internet address is not listed are available upon request from Permit Sonoma.

The Site Owner and Project Operator have agreed to accept all mitigation measures listed in this Initial Study as conditions of approval for the proposed project, and to obtain all necessary permits, notify all contractors, agents and employees involved in project implementation and any new owners should the property be transferred to ensure compliance with the mitigation measures.

## 1. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

**a) Have a substantial adverse effect on a scenic vista?**

Comment:

A scenic vista is a view from a particular location or composition of views along a roadway or a trail. Scenic vistas often describe views of natural undisturbed land, but may also include natural and developed areas, or even developed and unnatural areas such as the scenic view of a rural historic town and surrounding agricultural lands.

The project is not in an area designated as a visually sensitive by the Sonoma County General Plan (i.e., Scenic Landscape Unit, Scenic Corridor, Community Separator). The nearest Scenic Landscape Unit is adjacent to Todd Road, approximately 2,600 feet to the south of the project site; the nearest Scenic Corridor is a section of Highway 101 approximately 1.33 miles to the east of the project site; the nearest Community Separator is 1,500 feet to the west of the project. These scenic resource areas do not afford views of the project site due to intervening trees, vegetation and a mixture of existing residential and commercial structures.

The applicant is proposing a planting plan to provide additional vegetation screening from neighboring properties and scenic resources. Trees would be planted along the onsite access road, along the property frontage, and along portions of the property's northern and southern boundaries which would screen the project. No existing trees would be removed.

Significance Level: No Impact

**b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?**

Comment:

The parcel is not located on a site visible from a state scenic highway (officially designated state scenic highways in Sonoma County are Highway 116 from Highway 1 to the Sebastopol city limits, Highway 12 from Danielli Avenue east of Santa Rosa to London Way in Agua Caliente, and Highway 121 near Route 37 Sears Point/Route 12 near Sonoma).<sup>4</sup> Highway 116, which is the closest state scenic highway to the project, is over 2.75 miles away. Therefore, the project would not substantially damage scenic resources within a state scenic highway.

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<sup>4</sup> Caltrans. Scenic Highways, accessed March 12, 2020. [https://dot.ca.gov/-/media/dot-media/programs/design/documents/design-and-eligible-aug2019\\_a11y.xlsx](https://dot.ca.gov/-/media/dot-media/programs/design/documents/design-and-eligible-aug2019_a11y.xlsx)

Significance Level: No Impact

- c) **In non-urbanized areas substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

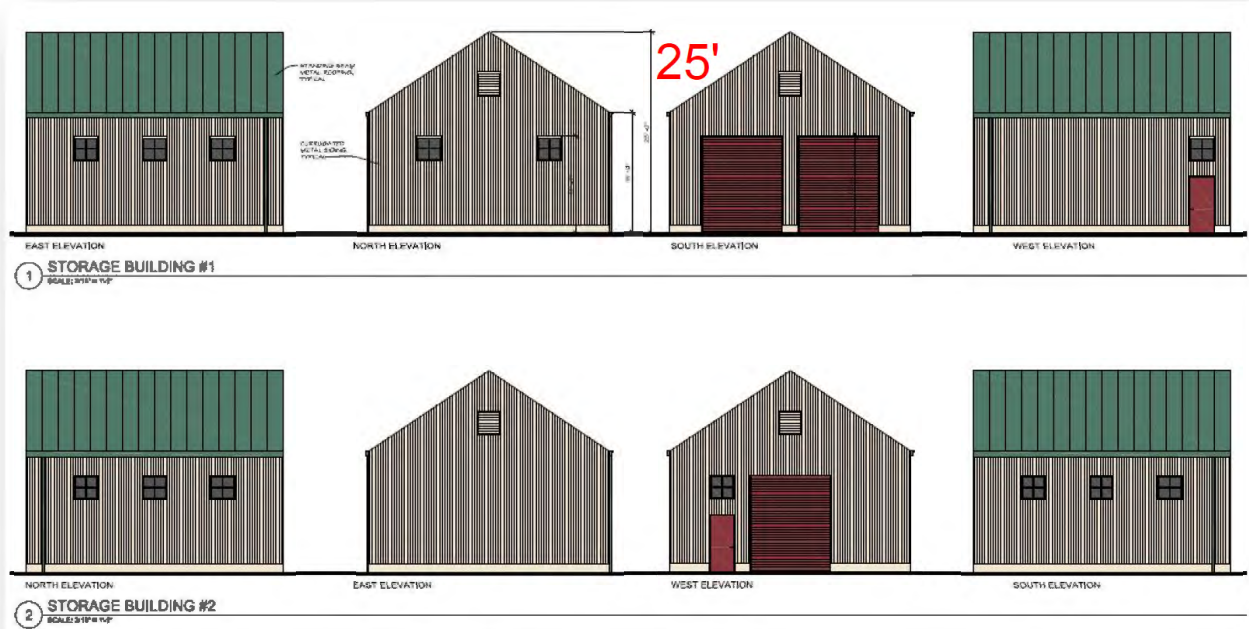
Comment:

The project site is located on Stony Point Road between Butler Avenue and Todd Road with rural properties on all sides of the project parcel. The existing visual character of the site is rural. Surrounding uses include a mixture of residential, limited commercial, an animal pharmacy to the north, and a church to the south that would operate the cemetery. To the west and east of the project are rural residential properties. In the project vicinity, Todd Road is a local connector road with a width of approximately 22 feet and no sidewalks. Stony Point Road is a throughway with a width of approximately 50 feet and no sidewalks adjacent to the proposed project.

The proposed project is subject to the South Santa Rosa Area Plan. The South Santa Rosa Area Plan (pp. 21) includes the following standards related to visual amenities:

1. *Protect and maintain open scenic areas essential for defining the urban form of Santa Rosa through use of scenic conservation easements.*
2. *Protect the scenic areas within the study district which one is important for visual and psychological relief from Santa Rosa urban environment.*
3. *Protect visually vulnerable landscapes, such as ridgelines and foothills.*
4. *Use the established Design Review process for development of all lands east of Petaluma Hill Road.*
5. *Require building and grading setbacks from riparian corridors to preserve ecological, agricultural and aesthetic values.*

In addition, the County Zoning Regulations for the AR Agricultural and Residential District state that the maximum building height is 35 feet. (Sonoma County Code Sec. 26-16-030(b).) The maximum height of the project would be 25 feet with the highest point being the roofline of the new storage buildings (Figure 5) and would therefore be consistent with zoning.



*Figure 5. Building Elevations.  
(Source: Osborn Siegart Architecture)*

Due to the height of the buildings, the project site would be visible from public viewpoints from Stony Point Road; the burial grounds and proposed memorial plaza would be mostly screened from public view by the proposed planting of oak trees, as indicated in the Landscaping Plans. Viewpoints from the scenic landscape unit located approximately 2,600 feet south of the project site would be either partially or fully obstructed by the mix of existing vegetation and residential and commercial structures. Public viewpoints where the project would be generally visible from several locations are listed below (see Figures 6, 7, and 8). The proposed oak trees along the project's eastern frontage on Stony Point Road would aid in vegetative screening. This landscaping would buffer potential views of the burial ground from Stony Point Road (see Figure 6). Additional landscaping would be installed on the southern and northern property boundaries to buffer views from neighboring private properties. The proposed project storage and refrigeration structures on the southeast corner of the site would be visible from Stony Point Road but the design is characteristic of area's rural setting. A new columbarium would not be visible from public right of way.

Following County “Visual Assessment Guidelines,”<sup>5</sup> public viewpoints were considered to determine the project’s visibility to the public. Based on the County “Visual Assessment Guidelines,” the project site sensitivity would be considered “Moderate” because:

*“The site or portion thereof is within a rural land use designation or an urban designation that does not meet the criteria above for low sensitivity<sup>6</sup>, but the site has no land use or zoning designations protecting scenic resources. The project vicinity is characterized by rural or urban development that may include historic resources or be considered a gateway to a community. This category includes building or construction sites with visible slopes less than 30 percent or where there is significant natural features of aesthetic value that is visible from public roads or public use areas (i.e. parks, trails etc.).”<sup>7</sup>*



<sup>5</sup> Sonoma County. Permit and Resources Management Department, “Visual Assessment Guidelines and Procedure,” accessed March 23, 2020. <https://sonomacounty.ca.gov/PRMD/Regulations/Environmental-Review-Guidelines/Visual-Assessment-Guidelines/>

<sup>6</sup> Per the Sonoma County “Visual Assessment Guidelines”, this means that the site is within an urban land use designation and has no land use or zoning designations protecting scenic resources. The project vicinity is characterized by urban development or the site is surrounded by urban zoning designations and has no historic character and is not a gateway to a community. The project site terrain has visible slopes less than 20 percent and is not on a prominent ridgeline and has no significant natural vegetation of aesthetic value to the surrounding community.

<sup>7</sup> Sonoma County. Permit and Resources Management Department, “Visual Assessment Guidelines and Procedure,” accessed March 23, 2020. <https://sonomacounty.ca.gov/PRMD/Regulations/Environmental-Review-Guidelines/Visual-Assessment-Guidelines/>



*Figure 6. View along Stony Point Road, directly northeast of project site.  
(Google Maps Street View)*



*Figure 7. View along Stony Point Road, directly east of project site.  
(Google Maps street view)*



*Figure 8. View along Stony Point Road, directly southeast of project site.  
(Google Maps street view)*

When visible, project structures and features are unlikely to attract attention due to their size, form, color, and texture, and overall would not represent a visually distinctive change to the site particularly because the current project site is already developed with structures. The design of the proposed new storage and refrigeration structures is agrarian and mimic barn structures by the proposed pitch of the roof and color selection. Therefore, they are consistent with the existing rural setting of the project. In addition, the new structures would not require cut and fill grading, because they are to be built at natural grade, and would be setback from Stony Point Road by approximately 65 feet. Other new project components, such as the memorial plaza and monument. While the monument has not been yet specifically designed, the applicant has provided example monuments that are approximately 15 feet tall and occupy approximately a 400 square foot footprint. The memorial plaza and monument would not be prominent from public view because of the anticipated height and scale and because they would be set back approximately 500 feet from Stony Point Road and separated by intervening landscaping as previously described. Additionally, a condition of approval requires the applicant to submit scaled plans of the proposed monument in Phase II to PERMIT Sonoma for approval prior to the construction and placement. Accordingly, based on County "Visual Assessment Guidelines," the project's visual dominance would be considered 'Subordinate' because:

*"Project is minimally visible from public view. Element contrasts are weak – they can be seen but do not attract attention. Project generally repeats the form, line, color, texture,*

*and night lighting of its surroundings.”<sup>8</sup>*

The project’s visual effect on the visual character or quality of the site and its surroundings was determined based on County “Visual Assessment Guidelines” Table 3 – Thresholds of Significance for Visual Impact Analysis<sup>9</sup>:

**Table 3**  
**Thresholds of Significance for Visual Impact Analysis**

Sensitivity	Visual Dominance			
	<i>Dominant</i>	<i>Co-Dominant</i>	<i>Subordinate</i>	<i>Inevident</i>
<b>Maximum</b>	Significant	Significant	Significant	Less than significant
<b>High</b>	Significant	Significant	Less than significant	Less than significant
<b>Moderate</b>	Significant	Less than significant	Less than significant	Less than significant
<b>Low</b>	Less than significant	Less than significant	Less than significant	Less than significant

Considering the project’s “Moderate” visual sensitivity and the project’s “Subordinate” visual dominance, the project would be considered to have a “Less than Significant” effect on the existing visual character or quality of the site and its surroundings.

Significance Level: Less than Significant Impact

**d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

Comment:

The proposed structures include no sources of exterior lighting or glare. Lighting of parking areas and security and safety lighting could affect nighttime views, which could be

<sup>8</sup> Sonoma County. Permit and Resources Management Department, “Visual Assessment Guidelines and Procedure,” accessed March 23, 2020. <https://sonomacounty.ca.gov/PRMD/Regulations/Environmental-Review-Guidelines/Visual-Assessment-Guidelines/>

<sup>9</sup> Sonoma County. Permit and Resources Management Department, “Visual Assessment Guidelines and Procedure,” accessed March 23, 2020. <https://sonomacounty.ca.gov/PRMD/Regulations/Environmental-Review-Guidelines/Visual-Assessment-Guidelines/>

noticeable from nearby residences with unobstructed sight lines. However, there is minimal lighting incorporated into the project and therefore minimal potential effects on nighttime view in the area. As a condition of approval, the project would be required to comply with the following development standards in the Zoning Code pertaining to lighting:

- Section 26.82.030(g): *"The color, size, height, lighting and landscaping of appurtenant signs and structures shall be elevated for compatibility with local architectural motif and the maintenance of view and vistas of natural landscapes, recognized historic landmarks, urban parks or landscaping."*
- Section 26.82.030 (n): *"All lighting in parking areas shall be arranged to prevent direct glare or illumination onto adjacent properties."*

Standard Conditions of Approval require that an exterior lighting plan be submitted prior to issuance of building permits to ensure that (1) exterior lighting is low mounted, downward casting, and fully shielded to prevent glare; (2) lighting does not wash out structures or any portions of the site; (3) light fixtures will not be located at the periphery of the property and will not spill over onto adjacent properties or into the sky; (4) flood lights would not be used; (5) all parking lot and street lights will be full cut-off fixtures; (6) lighting will shut off automatically after closing; and (7) security lighting will be motion-sensor activated.

The effects of these new sources of light or glare would be reduced to a less-than-significant level due to compliance with standard County Code requirements and standard conditions of approval.

Significance Level: Less than Significant Impact

## **2. AGRICULTURE AND 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

**Would the project:**

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and**

**Monitoring Program of the California Resources Agency, to non-agricultural use?**

Comment:

According to the Sonoma County Important Farmlands Map,<sup>10</sup> the project site is designated as Farmland of Local Importance and Urban and Built-up Land. Approximately 90% of the parcel is designated as Farmland of Local Importance while the other 10% is designated as Urban and Built-up Land (southeastern property corner). The majority of the site is currently used for cattle grazing. The site also contains a single-family residence in the southeastern corner of the property. While the project would eliminate cattle grazing operations, the project would not convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance to non-agricultural use.

Significance Level: No Impact

**b) Conflict with existing zoning for agricultural use, or Williamson Act Contract?**

Comment:

The project site's zoning (AR, Agriculture and Residential District) and General Plan Land Use designation (Rural Residential) allows cemeteries and associated uses with a Use Permit provided the site is not under a Williamson Act Contract. The project site is not under a Williamson Act Contract. No change in zoning or General Plan Land Use designations are proposed. Therefore, the proposed project would not conflict with agricultural zoning or a Williamson Act Contract.

Significance Level: No Impact

**c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?**

Comment:

The project site is not in a Timberland Production zoning district nor would it cause a rezoning of forest land or conflict with existing zoning for forest land; therefore, there is no impact.

Significance Level: No Impact

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<sup>10</sup> California Department of Conservation. Sonoma County Important Farmlands Map, accessed March 17, 2020  
<https://www.conservation.ca.gov/dlrp/fmmp/Pages/Sonoma.aspx>



**d) Result in the loss of forest land or conversion of forest land to non-forest use?**

Comment:

There is no forest land on the project parcel, and the proposed project would not convert forest land. As discussed in Section 2.c, the project site would not result in loss of forest land or conversion of forest land to non-forest use.

Significance Level: No Impact

**e) 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?**

Comment:

As discussed in Section 2.a, the project would result in a loss of some cattle grazing land. The proposed new use is specifically allowed under the Sonoma County Code Section 26-16-020(l) with a Use Permit, provided the project site is not subject to a Williamson Act contract. The project would result in the conversion of farmland to a non-agricultural use. The project site is designated as Farmland of Local Importance and Urban and Built-up Land, however because the site has a designated General Plan Land Use of Rural Residential, the Sonoma County Board of Supervisors previously determined that the site does contain viable farmland that should be protected. The project does not contain farmland that is designated as Prime, Unique, or of Statewide importance.

Significance Level: Less than Significant Impact

### **3. AIR QUALITY**

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

**Would the project:**

**a) Conflict with or obstruct implementation of the applicable air quality plan?**

Comment:

The project is within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which is responsible for the San Francisco Bay Area Air Basin (SFBAAB). The SFBAAB is currently designated as a nonattainment area for state and federal ozone standards, the state PM<sub>10</sub> standard, and the state and federal PM<sub>2.5</sub> standard. On April 29,



2017, the BAAQMD adopted its *Spare the Air-Cool the Climate 2017 Clean Air Plan*. The 2017 CAP updates the most recent Bay Area ozone plan, the 2010 Clean Air Plan, in fulfillment of state ozone planning requirements. Over the next 35 years, the Plan will focus on the three following goals:

- Attain all state and national quality standards;
- Eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants; and
- Reduce Bay Area GHG Emissions to 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050.

The 2017 Clean Air Plan includes increases in regional construction, area, mobile, and stationary source activities and operations in its emission inventories and plans for achieving attainment of air quality standards. Chapter 5 of the 2017 Clean Air Plan contains the BAAQMD's strategy for achieving the plan's climate and air quality goals. It identifies 85 distinct control measures designed to comply with state and federal air quality standards and planning requirements, protect public health by reducing emissions of ozone precursors, PM, and TACs, and reduce greenhouse gas (GHG) emissions. The 85 control measures identified in the 2017 Clean Air Plan are grouped by nine economic based "sectors": Agriculture, Buildings, Energy, Natural and Working Lands, Stationary Sources, Super GHGs, Transportation, Waste, and Water. Most of the 85 control measures are implemented at the local and regional level by municipal government and the BAAQMD and thus are not directly applicable to the proposed project. The proposed project would not conflict with or obstruct implementation of the BAAQMD's 2017 Clean Air Plan because: 1) it does not include significant sources of ozone precursor emissions, PM, or TACs (see discussion in Sections 3.b and 3.c below); 2) it would not exacerbate or increase disparities in cancer risks from TAC emissions (see discussion in Section 3.c below); and 3) it would not result in GHG emissions that interfere with state GHG reduction goals. The project's consistency with BAAQMD GHG screening criteria are summarized in the table below.

<b>Project Consistency with BAAQMD Construction and Operational Screening Criteria</b>		
<b>Screening Criterion</b>	<b>Requirement</b>	<b>Project Consistency</b>
1) Land Use Type and Size	Project is below all applicable construction (11 acres, 259,000 square feet of building space, or 540 employees) and operational screening size criteria (72 acres, 541,000 square feet of building space, or 1,249 employees) for general light industry use.*	The proposed project would have 10.07 acres of final development, including access roads, a plaza, a 960-square foot refrigeration building, 960-square foot storage building, and a 320-square foot columbarium.

2) Basic Construction Measures	Project design and implementation includes all BAAQMD <i>Basic Construction Mitigation Measures</i> .	The proposed project would incorporate all BAAQMD Basic Construction Mitigation Measures.
3) Demolition	Demolition activities are consistent with BAAQMD Regulation 11, Rule 2: Asbestos Demolition, Renovation, and Manufacturing.	The project's demolition of a 3,200-square foot structure would be consistent with Regulation 11, Rule 2.
4) Construction Phases	Construction does not include simultaneous occurrence of more than two construction phases (e.g., grading, paving, and building construction would occur simultaneously).	The proposed project does not include simultaneous occurrence of more than two construction phases.
5) Multiple Land Uses	Construction does not include simultaneous construction of more than one land use type.	The proposed project includes construction of only one land use type.
6) Site Preparation	Construction does not require extensive site preparation.	The project would not include extensive site preparation or grading.
7) Material Transport	Construction does not require extensive material transport and considerable haul truck activity (greater than 10,000 cubic yards).	The project would not require material transportation greater than 10,000 cubic yards.
8) Carbon Monoxide Hotspots	<p>A) Project is consistent with the applicable congestion management program, regional transportation plan, local congestion management agency plans; and</p> <p>B) The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour, or more than 24,000 vehicles per hour where vertical and/or</p>	The project would not result in significant traffic impacts, conflict with an applicable congestion management program or plan, nor increase traffic volumes above BAAQMD CO hotspot screening levels.

	horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).	
Source: MIG Air Quality and Greenhouse Gas Methodology from BAAQMD, 2017 (Table 3-1, Table 8-2, Page 3-5) *General Light Industry was selected cemetery is not a Land Use Type option in Table 3-1.		

While the project does include demolition activities, the demolition process would be compliant with applicable rules governing demolition and other screening criterion. Demolition of the 3,200 square feet barn is below the amount of demolition permitted by a Class I exemption and is consistent with the BAAQMD screening criteria. It was concluded that no detailed air quality analysis was needed for the project. The project would not conflict with or obstruct implementation of the applicable air quality plan, and the impact would be considered less than significant.

Significance Level: Less than Significant Impact

**b) 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?**

Comment:

The federal and state governments have established ambient air quality standards for “criteria” pollutants considered harmful to the environment and public health. National Ambient Air Quality Standards (NAAQS) have been established for carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), fine particulate matter (i.e., particles that are 2.5 microns in diameter and smaller, or PM<sub>2.5</sub>), inhalable coarse particulate matter (i.e., articles between 2.5 and 10 microns in diameter, or PM<sub>10</sub>), and sulfur dioxide (SO<sub>2</sub>). California Ambient Air Quality Standards (CAAQS) are more stringent than the national standards for the pollutants listed above and include the following additional pollutants: hydrogen sulfide (H<sub>2</sub>S), sulfates (SO<sub>x</sub>), and vinyl chloride. In addition to these criteria pollutants, the federal and state governments have classified certain pollutants as hazardous air pollutants (HAPs) or toxic air contaminants (TACs), such as asbestos and diesel particulate matter (DPM).

The proposed project would generate short-term construction emissions of regulated air pollutants. The proposed project construction and operational emissions were evaluated

against BAAQMD's CEQA thresholds of significance. Criteria air pollutant emissions were estimated for all project components, including:

- Construction of the proposed refrigeration building and columbarium, demolition of 3,200-square foot barn, site preparation, grading, building construction, paving, and architectural coating activities; and
- Operation of the proposed cemetery with associated buildings and parking areas.

*Construction Emissions:* The proposed activities for each Phase that could impact air quality are below:

**Phase I:** Construction activities include a two-week demolition of a 3,200-square foot barn, site preparation, grading, building construction, paving, and architectural coating. The following equipment would be used: excavator, grader, loader, sheepsfoot roller, drum roller, water truck, two dump trucks. Phase I construction is estimated to occur over the course of 20 weeks, conservatively.

**Phase II:** Ground disturbing activities, such site preparation, grading, as well as on- and off-site travel would generate the highest level of dust and particulate matter. The following equipment would be used: grader, loader, sheepsfoot roller, drum roller, water truck, two dump trucks.

**Phase III:** Ground disturbing activities, such as site preparation, grading, as well as on- and off-site travel would generate the highest level of dust and particulate matter. The following equipment would be used: grader, loader, sheepsfoot roller, drum roller, water truck, two dump trucks.

Cutting and filling tasks are proposed for all three phases. In total, 900 CY would be cut, and 500 CY of fill would be hauled offsite. During Phase II, 400 CY of cut would be used to fill wetland areas. All demolition debris would be taken to the closest landfill. For all projects in BAAQMD jurisdiction, BAAQMD recommends implementation of eight "Basic Construction Mitigation Measures" to reduce construction fugitive dust emissions level. These basic measures are also used to meet the BAAQMD's best management practices (BMPs) threshold of significance for construction fugitive dust emissions (i.e., the implementation of all basic construction measures renders fugitive dust impacts a less than significant impact). These measures are outlined below in **Mitigation Measure AIR-1**.

*Operational Emissions:* Following construction, operational activities would generate air pollutant emissions from the following sources: vehicle trips, building electricity and natural gas usage, including the refrigeration generator. Other emissions from consumer products, periodic architectural coating, and landscape maintenance activities would also occur. A cemetery is not a recognized land use under the BAAQMD Table 3-1 Operational-Related

Criteria Air Pollutant and Precursor Screening Level Sizes, but emissions related to a city park can be compared to final project build out and operations. While emissions would be similar for these land uses, the project is far below the proposed city park threshold of 2,613 acres for ROG, and 600 acres for GHG (GHG impacts analyzed further in Section 8).<sup>11</sup> Project operation would generate minimal emissions, as the final land use would be similar to operational emissions of a city park. Cemetery operations include groundskeeping, maintenance operations, and grave opening/closing, are most similarly compared to city park operations. Operational air quality impacts are considered less than significant.

*Cumulative Impacts:* As discussed in Section 3.a, the San Francisco Bay Area Air Basin is an area of non-attainment for national and state ozone, state PM<sub>10</sub>, and national and state PM<sub>2.5</sub> air quality standards. Regarding cumulative impacts, the BAAQMD CEQA Air Quality Guidelines state (BAAQMD 2017c, pg. 2-1):

*“SFBAAB’s non-attainment status is attributed to the region’s development history. Past, present, and future development projects contribute to the region’s adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project’s individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project’s contribution to the cumulative impact is considerable, then the project’s impact on air quality would be considered significant. In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project’s individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region’s existing air quality conditions. Therefore, additional analysis to assess cumulative impacts is unnecessary.”*

As discussed, in Section 3.a and 3.b, the proposed project does not conflict with the BAAQMD’s 2017 *Clean Air Plan* and would not result in construction or operational emissions that exceed BAAQMD construction or operational screening criteria. Since the proposed project would not individually exceed any BAAQMD CEQA significance thresholds with application of **Mitigation Measure AIR-1**, the project’s cumulative air quality impact would be less than significant with mitigation incorporated.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation Measure: **AIR-1: Implement BAAQMD Basic Construction Mitigation Measures.**

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<sup>11</sup> Bay Area Air Quality Management District (BAAQMD). “CEQA Air Quality Guidelines” May 2017, page. 2-1. Accessed 4/2/2020: [https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa\\_guidelines\\_may2017-pdf?la=en](https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf?la=en)

The following BAAQMD BMPs shall be included in the project:

1. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) two times per day during construction and adequately wet demolition surfaces to limit visible dust emissions.
2. Cover all haul trucks transporting soil, sand, or other loose materials off the project site.
3. Use wet power vacuum street sweepers at least once per day to remove all visible mud or dirt track-out onto adjacent roads (dry power sweeping is prohibited) during construction of the proposed project.
4. Vehicle speeds on unpaved roads/areas shall not exceed 15 miles per hour.
5. Complete all areas to be paved as soon as possible and lay building pads as soon as possible after grading unless seeding or soil binders are used.
6. Minimize idling time of diesel-powered construction equipment to five minutes and post signs reminding workers of this idling restriction at all access points and equipment staging areas during construction of the proposed project.
7. Maintain and properly tune all construction equipment in accordance with manufacturer's specifications and have a CARB-certified visible emissions evaluator check equipment prior to use at the site.
8. Post a publicly visible sign with the name and telephone number of the construction contractor and County staff person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The publicly visible sign shall also include the contact phone number for the BAAQMD to ensure compliance with applicable regulations.

Mitigation Monitoring: **AIR-1:** County staff shall ensure that the construction period air quality measures are listed on all site alteration, grading, building and improvement plans prior to issuance of grading and building permits. A Permit Sonoma inspector shall be assigned to make unannounced site visits during construction and can at the same time verify compliance that air quality control measures are implemented during construction.

**c) Expose sensitive receptors to substantial pollutant concentrations?**

Comment:

Sensitive air quality receptors include specific subsets of the general population that are susceptible to poor air quality and the potential adverse health effects associated with poor air quality. In general, children, senior citizens, and individuals with pre-existing health issues, such as asthmatics, are considered sensitive receptors. The California Air Resources Board (CARB) considers schools, schoolyards, parks and playgrounds, daycare facilities,



nursing homes, hospitals, and residential areas as sensitive air quality land uses and receptors.<sup>12</sup>

Several residential sensitive receptors are located within 1,000 feet of the proposed project, including the onsite single-family residence and a cluster of about 20 residential receptors north of the project site. Along Stony Point Road, there are about ten residential receptors, in addition to a few other residences south of the project site.

Project-related construction activities would emit PM<sub>2.5</sub> and PM<sub>10</sub> from equipment and vehicle exhaust. Although project construction would emit criteria and hazardous air pollutants, these emissions would not result in substantial pollutant concentrations that could generate substantial adverse health risks to sensitive receptors for several reasons.

The proposed project's construction emissions would be below all BAAQMD construction emission thresholds (see table in Section 8.a Greenhouse Gas Emissions). Second, project construction activities and associated DPM emissions would occur intermittently during the daytime weekday period and would not be a continuous source of emissions. The intermittent nature of project construction activities would provide time for emitted pollutants to disperse on an hourly and daily basis according to the local wind patterns. Third, nearby residential receptors would not be subjected to prolonged exposure to intermittent construction emissions. The applicant is projecting Phase I construction to last 21 weeks. The applicant projects Phase II starting three to five years after beginning Phase I. Construction activities would be short in duration, and nearby receptors would be exposed to construction emissions for a duration that is substantially less than the 70-year lifetime exposure duration used by the Office of Environmental Health Hazard Assessment to estimate adverse health risks from air pollutants (OEHHA, 2015).<sup>13</sup>

Project operation is also below all BAAQMD Table 3-1 Operational-Related Criteria Air Pollutant and Precursor Screening Level Sizes. Cemetery operations including burials and landscaping is most similar to operations of a city park. The proposed project would not generate substantial pollutant concentrations from construction or operation that could impact sensitive receptors. This impact would be less than significant.

Significance Level: Less than Significant Impact

**d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?**

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<sup>12</sup> California Air Resources Board (CARB), April 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Accessed 3/30/2020: <https://ww3.arb.ca.gov/ch/handbook.pdf>

<sup>13</sup> OEHHA. February 2015. "Air Toxics Hot Spots Program Guidance Manual February" Accessed 3/30/2020: <https://oehha.ca.gov/media/downloads/crn/2015guidancemanual.pdf>

Comment:

The project's construction activities could generate odors from the following sources and activities:

- Evaporation of gasoline, oil, and other equipment fluids that can escape from pumps, hoses, and tanks in construction equipment.
- Evaporation of volatile compounds from paints and coatings when applied to surfaces.
- Off-gassing of volatile compounds from concrete and asphalt surfaces.
- Exhaust emissions from equipment and vehicle exhaust pipes.

Odors generated by short-term, intermittent construction activities are common throughout the Bay Area and project area. The release of odorous compounds from vehicle fluids, paints and coatings, asphalt and concrete, and earth moving activities is associated with many residential and commercial operations and applications. The proposed construction activities would not result in the release of unusual odors, nor would potential construction-related odors impact a substantial amount of people.

The BAAQMD has established odor screening thresholds for land uses that have the potential to generate substantial odor complaints, including wastewater treatment plants, landfills or transfer stations, composting facilities, confined animal facilities, food manufacturing, and chemical plants. The proposed project does not include any of these sources and, once operational, would not create objectionable odors that would affect a substantial number of people, and the impact would be less than significant.

Significance Level: Less than Significant Impact

## 4. BIOLOGICAL RESOURCES

### **Regulatory Framework**

The following discussion identifies federal, state and local environmental regulations that serve to protect sensitive biological resources relevant to the California Environmental Quality Act (CEQA) review process.

### **Federal**

***Federal Endangered Species Act (FESA):*** Establishes a broad public and federal interest in identifying, protecting, and providing for the recovery of threatened or endangered species. The Secretary of Interior and the Secretary of Commerce are designated in the FESA as responsible for identifying endangered and threatened species and their critical habitat, carrying out programs for the conservation of these species, and rendering opinions regarding the impact of proposed federal actions on listed species. The U.S. Fish and Wildlife Service

(USFWS) and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries) are charged with implementing and enforcing the FESA. USFWS has authority over terrestrial and continental aquatic species, and NOAA Fisheries has authority over species that spend all or part of their life cycle at sea, such as salmonids.

Section 9 of the FESA prohibits the unlawful "take" of any listed fish or wildlife species. Take, as defined by FESA, means "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such action." USFWS's regulations define harm to mean "an act which actually kills or injures wildlife." Such an act "may include "significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering" (50 CFR § 17.3). Take can be permitted under FESA pursuant to Sections 7 and 10. Section 7 provides a process for take permits for federal projects or projects subject to a federal permit, and Section 10 provides a process for Incidental Take permits for projects without a federal nexus. The FESA does not extend the take prohibition to federally listed plants on private land, other than prohibiting the removal, damage, or destruction of such species in violation of state law.

***The Migratory Bird Treaty Act of 1918 (MBTA):*** The MBTA (16 USC §§ 703 et seq., Title 50 Code of Federal Regulations [CFR] Part 10) states it is "unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill; attempt to take, capture or kill; possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or in part, of any such bird or any part, nest or egg thereof..." In short, under MBTA it is illegal to disturb a nest that is in active use, since this could result in killing a bird, destroying a nest, or destroying an egg. The USFWS enforces MBTA. The MBTA does not protect some birds that are non-native or human-introduced or that belong to families that are not covered by any of the conventions implemented by MBTA. In 2017, the USFWS issued a memorandum stating that the MBTA does not prohibit Incidental Take; therefore, the MBTA is currently limited to purposeful actions, such as directly and knowingly removing a nest to construct a project, hunting, and poaching.

***The Clean Water Act (CWA):*** The CWA is the primary federal law regulating water quality. The implementation of the CWA is the responsibility of the U.S. Environmental Protection Agency (EPA). However, the EPA depends on other agencies, such as the individual states and the U.S. Army Corps of Engineers (USACE), to assist in implementing the CWA. The objective of the CWA is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." Section 404 and 401 of the CWA apply to activities that would impact waters of the U.S. The USACE enforces Section 404 of the CWA and the California State Water Resources Control Board (SWRCB) enforces Section 401.

**Section 404:** The U.S. Army Corps of Engineers (USACE) regulates “Waters of the United States”, including adjacent wetlands, under Section 404 of the federal Clean Water Act. Waters of the United States include navigable waters, interstate waters, territorial seas and other waters that may be used in interstate or foreign commerce. Potential wetland areas are identified by the presence of: (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. All three parameters must be present, under normal circumstances, for an area to be designated as a jurisdictional wetland under the Clean Water Act. Areas that are inundated for sufficient duration and depth to exclude growth of hydrophytic vegetation are subject to Section 404 jurisdiction as “other waters” and are often characterized by an ordinary high-water mark (OHWM). The discharge of dredged or fill material into a Waters of the U.S. (including wetlands) generally requires a permit from the USACE under Section 404.

**Section 401:** Section 401 of the Clean Water Act specifies that any activity subject to a permit issued by a federal agency must also obtain State Water Quality Certification (401 Certification) that the proposed activity will comply with state water quality standards. If a proposed project does not require a federal permit but does involve dredge or fill activities that may result in a discharge to Waters of the State, the Water Board has the option to regulate the dredge and fill activities under its state authority through its Waste Discharge Requirements (WDR) program.

#### **State**

**California Endangered Species Act (CESA):** Provisions of the California Endangered Species Act (CESA) protect state-listed threatened and endangered species. The California Department of Fish and Wildlife (CDFW) is charged with establishing a list of endangered and threatened species. CDFW regulates activities that may result in “take” of individuals (i.e., “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”). Habitat degradation or modification is not expressly included in the definition of “take” under the California Fish and Game Code (CFGC), but CDFW has interpreted “take” to include the killing of a member of a species which is the proximate result of habitat modification.

**Fish and Game Code 1600-1602:** Sections 1600-1607 of the California Fish and Game Code (CFGC) require that a Notification of Lake or Streambed Alteration Agreement (LSAA) application be submitted to CDFW for “any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake.” CDFW reviews the proposed actions in the application and, if necessary, prepares a LSAA that includes measures to protect affected fish and wildlife resources, including mitigation for impacts to bats and bat habitat.

**Nesting Birds:** Nesting birds, including raptors, are protected under California Fish and Game Code (CFGC) Section 3503, which reads, “It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made

pursuant thereto.” In addition, under CFGC Section 3503.5, “it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto”. Passerines and non-passerine land birds are further protected under CFGC Section 3513. As such, CDFW typically recommends surveys for nesting birds that could potentially be directly (e.g., actual removal of trees/vegetation) or indirectly (e.g., noise disturbance) impacted by project-related activities. Disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered a “take” by CDFW.

**Other Special-Status Plants – California Native Plant Society:** The California Native Plant Society (CNPS), a non-profit plant conservation organization, publishes and maintains an Inventory of Rare and Endangered Vascular Plants of California in both hard copy and electronic version (<http://www.cnps.org/cnps/rareplants/inventory/>).

The Inventory employs the California Rare Plant Ranking (CRPR) to assign plants to the following categories:

- 1A Presumed extinct in California
- 1B Rare, threatened, or endangered in California and elsewhere
- 2 Rare, threatened, or endangered in California, but more common elsewhere
- 3 Plants for which more information is needed – A review list
- 4 Plants of limited distribution – A watch list

**Non-Game Mammals:** Sections 4150-4155 of the California Fish and Game Code (CFGC) protects non-game mammals, including bats. Section 4150 states “A mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal. A non-game mammal may not be taken or possessed except as provided in this code or in accordance with regulations adopted by the commission”. The non-game mammals that may be taken or possessed are primarily those that cause crop or property damage. Bats are classified as a non-game mammal and are protected under the CFGC.

**California Fully Protected Species and Species of Special Concern:** The classification of “fully protected” was the California Department of Fish and Wildlife’s (CDFW’s) initial effort to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, amphibians and reptiles, birds, and mammals. Most of the species on these lists have subsequently been listed under the California Endangered Species Act (CESA) and/or Federal Endangered Species Act (FESA). The Fish and Game Code Sections (fish at §5515, amphibians and reptiles at §5050, birds at §3503 and §3511, and mammals at §4150 and §4700) dealing with “fully protected” species state that these species “...may not be taken or possessed at any time and no provision of this code or any other law

shall be construed to authorize the issuance of permits or licenses to take any fully protected species,” although take may be authorized for necessary scientific research. This language makes the “fully protected” designation the strongest and most restrictive regarding the “take” of these species. In 2003, the code sections dealing with “fully protected” species were amended to allow the CDFW to authorize take resulting from recovery activities for state-listed species.

California Species of Special Concern (CSC) are broadly defined as animals not listed under the FESA or CESA, but which are nonetheless of concern to the CDFW because they are declining at a rate that could result in listing or because they historically occurred in low numbers and known threats to their persistence currently exist. This designation is intended to result in special consideration for these animals by the CDFW, land managers, consulting biologists, and others, and is intended to focus attention on the species to help avert the need for costly listing under FESA and CESA and cumbersome recovery efforts that might ultimately be required. This designation also is intended to stimulate collection of additional information on the biology, distribution, and status of poorly known at-risk species, and focus research and management attention on them. Although these species generally have no special legal status, they are given special consideration under the CEQA during project review.

***Porter-Cologne Water Quality Control Act:*** The intent of the Porter-Cologne Water Quality Control Act (Porter-Cologne) is to protect water quality and the beneficial uses of water, as it applies to both surface and ground water. Under this law, the State Water Resources Control Board develops statewide water quality plans, and the Regional Water Quality Control Boards (RWQCBs) develop basin plans that identify beneficial uses, water quality objectives, and implementation plans. The RWQCBs have the primary responsibility to implement the provisions of both statewide and basin plans. Waters regulated under Porter-Cologne, referred to as “waters of the State,” include isolated waters that are not regulated by the U.S. Army Corps of Engineers (USACE). Projects that require a USACE permit, or fall under other federal jurisdiction, and have the potential to impact waters of the State are required to comply with the terms of the Water Quality Certification Program. If a proposed project does not require a federal license or permit, any person discharging, or proposing to discharge, waste (e.g., dirt) to waters of the State must file a Report of Waste Discharge and receive either Waste Discharge Requirements (WDRs) or a waiver to WDRs before beginning the discharge.

“Waters of the State” are regulated by the Regional Water Quality Control Board (RWQCB) under the State Porter-Cologne Water Quality Control Act. Waters of the State are defined by the Porter-Cologne Act as any surface water or groundwater, including saline waters, within the boundaries of the State. RWQCB jurisdiction includes “isolated” wetlands and waters that may not be regulated by the USACE under Section 404 (such as roadside ditches).

### **Local**

***Sonoma County General Plan 2020 (Sonoma County 2008):*** Land Use Element and Open Space and Resource Conservation Element both contain policies to protect natural resource lands including, but not limited to, watershed, fish and wildlife habitat, biotic areas, and habitat connectivity corridors. The policies below provide for protection of biotic habitats both within and outside the designated areas. Following are the types of biotic habitat addressed by the policies in this section that are pertinent to the proposed project:

***Special-Status Species Habitat:*** Special-status species are plants and animals which are listed or candidate species under the Federal or California Endangered Species Acts and other species considered rare enough to warrant special consideration. Reported occurrences of special-status species are compiled by the California Natural Diversity Data Base (CNDDB) of the California Department of Fish and Wildlife (CDFW) and are routinely updated as new information becomes available. Detailed surveys are typically necessary to confirm the presence or absence of special-status species.

***Sensitive Natural Communities:*** CDFW has identified certain natural habitats as sensitive natural communities which are rare and vulnerable to further loss. Sensitive natural communities identified in Sonoma County include coastal salt marsh, brackish water marsh, freshwater marsh, freshwater seeps, native grasslands, several types of forest and woodland (including riparian, valley oak, Oregon white oak, black oak, buckeye, Sargent cypress, and pygmy cypress), old growth redwood and Douglas fir forest, mixed serpentine chaparral, coastal scrub, prairie, bluff, and dunes. Many of these communities support populations of special-status species and are important to native wildlife.

***Valley Oak Habitat Combining District:*** The Sonoma County Valley Oak Habitat (VOH) combining zone was established to protect and enhance valley oaks and valley oak woodlands and to implement the provisions of Section 5.1 of the general plan resource conservation element.

***Sonoma County Tree Protection Ordinance:*** The Sonoma County Tree Protection Ordinance (Sonoma County Code of Ordinances, Sec. 26-88-010m) establishes policies for protected tree species in Sonoma County. Protected trees are defined (Chapter 26, Article 02, Sec. 26- 02-140) as the following species: big leaf maple (*Acer macrophyllum*), black oak (*Quercus kelloggii*), blue oak (*Quercus douglasii*), coast live oak (*Quercus agrifolia*), interior live oak (*Quercus wislizenii*), madrone (*Arbutus menziesii*), oracle oak (*Quercus morehus*), Oregon oak (*Quercus garryana*), redwood (*Sequoia sempervirens*), valley oak (*Quercus lobata*), California bay (*Umbellularia californica*), and their hybrids.

***Sonoma County Code Section 11-14-070 (Grading Ordinance): Removal of trees and other vegetation*** Construction grading and drainage shall not remove or disturb trees and other vegetation except in compliance with the department's best management practices for construction grading and drainage and the approved plans and specifications.

Construction grading and drainage shall be conducted in compliance with the following requirements:

- A. The limits of work-related ground disturbance shall be clearly identified and delineated on the approved plans and specifications and defined and marked on the site to prevent damage to surrounding trees and other vegetation.
- B. Trees and other vegetation within the limits of work-related ground disturbance that are to be retained shall be identified and protected from damage by marking, fencing, or other measures.

***Santa Rosa Plain Conservation Strategy And Programmatic Biological Opinion:*** In response to the CESA and FESA, the Santa Rosa Plain area was created (please see the FESA section in the Federal Regulatory section and the CESA and the California Fully Protected Species and Species of Special Concern in the State Regulatory section. The Santa Rosa Plain is located in central Sonoma County, bordered on the south and west by the Laguna de Santa Rosa, on the east by the foothills, and on the north by the Russian River. The Plain and adjacent areas are characterized by vernal pools, seasonal wetlands, and associated grassland habitat, which support – among other flora and fauna – the threatened California tiger salamander (*Ambystoma californiense*; CTS) and four endangered plant species: Burke's goldfields (*Lasthenia burkei*), Sonoma sunshine (*Blennosperma bakeri*), Sebastopol meadowfoam (*Limnanthes vinculans*), and many-flowered navarretia (*Navarretia leucocephala* ssp. *plieantha*). These listed plants grow only in seasonal wetlands; CTS uses seasonal wetlands for breeding, and the surrounding uplands for dispersal, feeding, growth, maturation and maintenance of the juvenile and adult population (upland habitat).

The Santa Rosa Plain Conservation Strategy (Conservation Strategy) was developed in coordination with Sonoma County stakeholders and USFWS to create a long-term conservation plan to mitigate for the potential adverse impacts of future development on federally-listed plants and animals in the Santa Rosa Plain. The Conservation Strategy protects and contributes to the recovery of Burke's goldfields, Sonoma sunshine, Sebastopol meadowfoam, and CTS; and provides the biological framework upon which the Programmatic Biological Opinion (PBO) is based. Under the Conservation Strategy and PBO, vernal pools and most other seasonal wetlands on the Santa Rosa Plain are considered to be suitable habitat for Burke's goldfields, Sonoma sunshine, and Sebastopol meadowfoam. Loss of such habitat is considered an adverse impact to all three species, regardless of whether or not the species are actually present, because the habitat may retain a remnant seed bank for the species.

Projects that require U.S. Army Corps of Engineers (USACE) permit approval (such as the proposed project) can be appended to the PBO, and thereby provided individual take authorization, if the projects apply the PBO's mitigation ratios and adhere to all applicable avoidance and minimization measures in the PBO. The PBO potentially allows appendage of all projects on the Santa Rosa Plain, regardless of size or extent of impact, with the exception of projects that would affect occupied Burke's goldfields or Sonoma sunshine habitat with



populations of 2,000 or greater plants. However, the final decision to allow appendage rests with USFWS which reserves the right to require a separate Section 7 consultation for any project based on the level of impacts, avoidance, and minimization or mitigation measures. The Corps and USFWS have followed also a policy to apply the PBO only to those projects with 3.0 acres or less of impacts to seasonal wetlands; larger projects typically require individual consultations with USFWS.

The Conservation Strategy identifies eight conservation areas for listed plants and CTS, one listed plant and CTS preserve system, and one listed plant conservation area. Conservation areas are lands where recovery and mitigation efforts should be directed to best protect and expand populations of the listed species. The Conservation Strategy also encourages the establishment of preserves within these areas; translocation of listed species; habitat improvement through wetland creation, restoration and enhancement; and mitigation measures to reduce and compensate for impacts. Projects on the Santa Rosa Plain that potentially affect these federally-listed species should evaluate those impacts and implement mitigation measures based on recommendations in the Conservation Strategy.

Under the Conservation Strategy, this project site is located within an area described as “Within 1.3 miles of known breeding habitat for California tiger salamander” and an area that supports rare or endangered plant species. The Conservation Strategy and the associated PBO contain specific mitigation requirements applicable to these species.

***USFWS Recovery Plan for the Santa Rosa Plain:*** In December 2016, USFWS adopted a formal Recovery Plan for the Santa Rosa Plain (Recovery Plan) addressing recovery efforts necessary to protect and otherwise eventually recover the federally listed Sonoma County Distinct Population Segment of CTS and three vernal pool plants: Sonoma sunshine, Burke’s goldfields, and Sebastopol meadowfoam. All four species are confined almost entirely to the Santa Rosa Plain. The Recovery Plan and its objectives are implemented through cooperative CEQA lead agencies, and through federal agencies (e.g., USACE) with USFWS via Section 7 of the FESA. Any federal nexus agency that consults with USFWS pursuant to Section 7 will obtain a letter of no effect or a Biological Opinion that provides or denies “Incidental Take authority.” Any conditions of a Biological Opinion issued to the USACE for a pending project are to become conditions of CWA Section 404 permit authorization.

Pursuant to the FESA, Incidental Take includes loss of listed species’ habitat or harm that could occur to a federal listed species. An Incidental Take permit allows an otherwise legally sanctioned activity to proceed even if there could be a collateral impact to a federal listed species. Similarly, any Section 10 FESA consultation with USFWS, which is allowed for in the FESA for all non-federal entities, that results in Incidental Take authority granted by USFWS to the non-federal entity, would otherwise include provisions for compliance with the objectives of the Recovery Plan. The USFWS has segmented the Santa Rosa Plain into “Core” and “Management” areas where species preservation, and habitat enhancement and management must occur to recover these four listed

species. Core areas comprise the heart of the species' historical (and current) range and represent central blocks of contiguously occupied habitat that function to allow for dispersal, genetic interchange between populations, and metapopulation dynamics. Management areas are occupied habitat peripheral to the species' Core areas.

The applicant submitted a biological resource assessment prepared by WRA Environmental Consultants, dated October 17, 2013, and labeled 3367 Stony Point Road Property, Opportunity and Constraints Summary. WRA also conducted a Protocol Rare Plant Survey dated July 28, 2015 and labeled Santa Rosa Plain Rare Plant Surveys. This study summarized results from the two-year special-status plant survey.

A Preliminary Jurisdictional Determination dated May 2014, was submitted in 2018 with the application materials. The Study Area for the Preliminary Jurisdictional Determination is the church property, which is composed of three adjacent parcels (APN: 134-082-046, 134-082-055, 134-082-054), and is bounded by Stony Point Road on the east, rural residential to the north, west, and south, and St. Olga Court to the south. The delineation was performed on March 20 and April 30, 2014 by two WRA biologists. As discussed in greater detail below, the studies conclude that potentially significant impacts may be reduced to a less than significant level through application of County standards or by incorporation of mitigation measures. The following biological resource analysis was found to be sufficient by the project planner, based on the site-specific information available at the time of the analysis.

**Would the project:**

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

Comment:

The applicant submitted a biological resource assessment and a protocol rare plant survey both prepared by WRA Environmental Consultants, dated October 17, 2013, and July 28, 2015, respectively. These studies address listed species in the project area and evaluates wetland and riparian resources. The biological assessment was performed through a site visit on October 9, 2013, and the protocol plant surveys were conducted on October 9, 2013; March 20, April 30, May 23, 2014; and March 17, May 1, and May 29, 2015. The studies conclude that potentially significant impacts may be reduced to a less than significant level through application of County standards or by incorporating mitigation measures.

The applicant is proposing a three-phase, 10.33-acre cemetery on a 21-acre parcel. Phase I includes demolition of an existing barn; construction of a 960 square-foot refrigeration

building, a 960 square-foot equipment storage building, and a 320 square-foot columbarium, construction of an access road between the monument area and Stony Point Road, and a 2.46 cemetery burial area. Phase II includes construction of a memorial plaza and an additional 5.3 acres of cemetery burial area as well as wetland filling and culverting in the eastern portion of the property. Phase III includes an additional 2.31 acres of cemetery burial area in the westernmost portion of the parcel, and the culverting of a wetland under the access road. Project facilities would be developed over an anticipated 65-year period. It is estimated that the entire burial area would be filled after over 86 years. Access to the cemetery would be provided by a driveway from Stony Point Road and a new gravel access road. Phase II is expected to begin three to five years after initiation of Phase I. Given the long period of time for final project development, potentially changing schedule, and potential for special-status species to colonize the project site in the interim, the applicant shall retain a qualified biologist to conduct updated surveys of special-status species and denote any changes to jurisdictional wetland features onsite at the beginning of each construction period. **See Mitigation Measure BIO-1.**

#### *Special-Status Plant Species*

According to the historical data and photographs for the background of WRA's 2014 Jurisdictional Determination, the site supported scrub, chaparral, woodland, or forested communities. Valley Oak savanna was historically prevalent on the Santa Rosa Plain, and two large valley oaks (*Quercus lobata*) are present in the undeveloped portions of the site.<sup>14</sup> These trees are not special-status species. According to the Jurisdictional Determination, the majority of the site is mapped as "upland," or lacking wetland hydrology. The dominant vegetation type is non-native annual grasses dominated by a range of non-listed species. The upland areas lacked hydrological indicators and include the developed portions of the Study Area, including the adjacent church, parking lot, and onsite residence.

A total of 61 special-status plant species have been documented in the region (Santa Rosa, Cotati, Sebastopol, Healdsburg United States Geological Survey [USGS] 7.5-minute topographic quadrangles). Many of these plants were not expected to occur within the project area because primary habitat requirements are lacking (i.e., no fully inundated tidal marsh, freshwater marsh, dunes, chaparral, etc.), or the project is far from their known or expected range within the region. Of the regional species, 12 special-status plant species have potential to occur within the Study Area, all of which are closely associated with vernal pool and/or mesic grassland habitat. Seventy-eight species were found onsite including the following two rare plant species:<sup>15</sup>

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<sup>14</sup> WRA, May 2014. Preliminary Jurisdictional Determination. Saints Peter and Paul Russian Orthodox Church Santa Rosa, Sonoma County, California.

<sup>15</sup> WRA, July 28, 2015. Santa Rosa Plain Rare Plant Surveys.

- Sebastopol meadowfoam (*Limnanthes vinculans*) was documented in four wetland features over the span of the two-year protocol survey. Sebastopol meadowfoam is state and federally listed as endangered and is ranked 1B.1 by the California Rare Plant Rank (CRPR). The population sizes include one pool containing approximately 100 individuals, a second pool containing approximately 50 individuals, a pool and swale feature containing approximately 10 individuals, and a fourth pool containing approximately 55 individuals, for a total of 215 individuals. **Mitigation Measure BIO-2** is recommended to reduce any potential impacts to this species to less than significant. To mitigate for Sebastopol meadowfoam, compensatory mitigation for impacts typically occurs by purchasing mitigation bank credits from approved mitigation banks operating within the Santa Rosa Plain. Appropriate credits and costs from approved mitigation banks will be determined by contacting mitigation bank operators. While seasonal wetlands on the project site are considered suitable seasonal wetlands for listed rare plants, only one species of rare plant was documented during protocol-level surveys and is therefore required to be mitigated.
- Lobb's buttercup (*Ranunculus lobbii*; also called "Lobb's aquatic buttercup"; California Rare Plant Rank 4.2) is species found in woodlands, forests, valley and foothill grasslands, and vernal pools. It is endemic to California and at many of the plant populations are threatened by heavy loss of habitat. Lobb's buttercup was documented in five vernal pools in the Study Area over the span of the two-year protocol survey. The California Rare Plant Rank (CRPR) of 4.2 is described as having "limited distribution" and being "fairly endangered" in California.<sup>16</sup> Regardless of rank, nearly all species on the CRPR qualify for consideration under CEQA analysis, especially those that:
  - Have populations at the periphery of the species' range;
  - Are in areas where the taxon is especially uncommon;
  - Are in areas where the taxon has sustained heavy losses, or
  - Have populations exhibiting unusual morphology or occurring on unusual substrates.<sup>17</sup>

Due to the statewide threat to vernal pool habitat in which Lobb's buttercup occupies in the Study Area, the population in the Study Area qualifies for consideration under CEQA within this document. Within the Study Area, one vernal pool contained approximately 150 individuals, the second pool contained approximately 350 individuals, third pool contained approximately 675 individuals, the fourth pool contained approximately 350 individuals, and the fifth pool contained approximately ten individuals. Lobb's buttercup is not federally, state, or locally protected, and does not meet the definition of "endangered" or "threatened" under Sections 2062 and 2067 of the California Fish and

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<sup>16</sup> California Native Plant Society, 2020. *Ranunculus lobbii*. Available at: <http://www.rareplants.cnps.org/detail/1414.html> [Accessed December 2020].

<sup>17</sup> California Native Plant Society, 2020. The Rare, Threatened, and Endangered Plants of California. Available at: <http://www.rareplants.cnps.org/glossary.html> [Accessed December 2020].

Game Code. The Santa Rosa Plain is the core of this species distribution and several dozen discrete populations have been recorded.<sup>18</sup> **Mitigation Measure BIO-3** is recommended to reduce any potential impacts to this species to less than significant.

Prior to each construction phase, a qualified biologist shall provide worker environmental awareness training (WEAT) that will educate staff on the biology of any special-status plant species with potential to occur on site and measures in place to prevent impacts to any special-status plant species that may be onsite. A qualified biologist shall conduct a pre-project survey and clearly demarcate areas to avoid impacts to special-status plants. **Mitigation Measure BIO-4** is recommended to reduce impacts to any special-status plant species to less than significant.

#### *Special-Status Wildlife Species*

The only special-status wildlife species documented within the biological report to have potential to occur on the project site is the California tiger salamander (CTS; *Ambystoma californiense*). CTS occur in grasslands and open oak woodlands that provide suitable estivation and/or breeding habitat. CTS spend most of their lives underground. Stock ponds, seasonal wetlands, and deep vernal pools typically provide most of the breeding habitat used by CTS. In most of the range of CTS, seasonal wetlands that are used for breeding typically must hold water into the month of May to allow enough time for larvae to fully metamorphose. In dry years, seasonal wetlands and shallow pools may dry too early to allow for CTS larvae to successfully metamorphose.

CTS typically only emerge for a few nights each year during the rainy season to migrate to breeding ponds. CTS are documented to travel distances of 1.3 miles between breeding sites and upland summer occupation sites in deep cracks or animal burrows.<sup>19</sup> In Sonoma County, CTS emerge during the first heavy, warm rains of the year, typically in late November and early December. Most CTS migration occurs during and following a period of heavy and continuous precipitation. During the spring, summer, and fall months, most known populations of CTS in California predominately use California ground squirrel (*Spermophilus beechyi*) burrows as over-summering habitat. However, in Sonoma County where California ground squirrel populations are scarce, the CTS populations use Botta's pocket gopher (*Thomomys bottae*) burrows, deep fissures in desiccated clay soils, and debris piles (e.g., downed wood, rock piles).

The USFWS Programmatic Biological Opinion (PBO) and the Recovery Plan for the Santa Rosa Plain establish mitigation for projects impacting CTS habitat. The USFWS Santa Rosa Plain PBO Action Area<sup>20</sup> shows the entire project area in CTS Critical Habitat, and the Santa Rosa Plain

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<sup>18</sup> WRA, July 28, 2015. Santa Rosa Plain Rare Plant Surveys.

<sup>19</sup> WRA, October 17, 2013. 3367 Stony Point Rd Property, Opportunity and Constraints Summary

<sup>20</sup> U.S. Fish and Wildlife Service, 2019. Santa Rosa Plain Programmatic Biological Opinion Action Area Web Application. Accessed online at: <https://www.arcgis.com/home/item.html?id=ac94c1a176f04d4587aff1f0fd16a7f8> Accessed December 4, 2020.

Conservation Strategy identifies the project site as suitable for estivation habitat for CTS. The USACE would be required to initiate FESA Section 7 consultation (with USFWS and CDFW) in accordance with the PBO prior to permit authorization for the project. In the Biological Assessment, WRA recommends authorization to impact CTS habitat by appending the project into the PBO as part of the wetland permitting process as long as the conditions of mitigating for CTS are carried out. **Mitigation Measure BIO-5** is recommended to reduce any potential impacts to CTS to less than significant.

The project site may also be suitable aquatic breeding habitat for CTS if water features inundate with water for 2-3 consecutive months or more during the breeding season. Approximately half of the project site (western portion) is in an area of the Santa Rosa Plain that is designated in the USFWS Conservation Strategy as "Areas within 1.3 miles of Known Breeding Habitat."<sup>21</sup> Consultation with USFWS is necessary to determine the appropriate final required mitigation ratio. Mitigation requirements are based upon the distance of a proposed project site to the closest known breeding or adult record for CTS. The 2,200 feet or 0.4 miles is a threshold to determine mitigation ratios. Properties within 2,200 feet of a known breeding site typically require a 2:1 mitigation ratio and beyond 2,200 feet require a 1:1 mitigation ratio (suitable habitat acreage to be preserved in perpetuity: suitable habitat acreage lost from project activities). Because the western half of the property falls within the 2,200 feet of a breeding site, requiring a 2:1 mitigation ratio for impacts, the entire property (including the eastern portion beyond 2,200 feet of the breeding site) may be subject to the 2:1 ratio. To reduce impacts to CTS, **see Mitigation Measure BIO-6a.**

The potential impacts by a cemetery to CTS habitat may be considered by USFWS to be less than for typical development projects. For example, ground disturbing impacts from burials may be considered temporary, not permanent. The USFWS defines temporary disturbance as full restoration of the effects of the disturbance within one year of the disturbance. Permanent disturbance is defined as all effects not fulfilling the criteria for temporary effects and/or ongoing operations and maintenance. Common cemetery maintenance operations, such as irrigation, mowing, or other repetitive maintenance action would likely be considered permanent impacts. The applicant, in formal consultation with USFWS and CDFW would determine whether project operations would be classified as temporary or permanent per **Mitigation Measure BIO-6b.**

Level of Significance: Less than Significant with Mitigation Incorporated

Mitigation Measure: **BIO-1: Addendum to Biological Assessment and Wetland Delineation.**

Prior to construction of Phases I, II, and III, the applicant shall retain a qualified biologist who

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<sup>21</sup> U.S. Fish and Wildlife Service, 2007. Santa Rosa Plain Conservation Strategy Map," accessed online here: [https://www.fws.gov/sacramento/ES/Recovery-Planning/Santa-Rosa/Documents/figure-3\\_REVISIED\\_4-18-07.pdf](https://www.fws.gov/sacramento/ES/Recovery-Planning/Santa-Rosa/Documents/figure-3_REVISIED_4-18-07.pdf) Accessed March 23, 2020.



shall conduct updated surveys of biological resources within the project site and provide a subsequent addendum to the biological assessment and wetland delineations. In addition, if the project otherwise lapses for more than five years while still within one “construction phase”, a qualified biologist shall also update their surveys and provide an addendum to the technical reports. These addendums shall be submitted to the County prior to issuance of any grading permit(s) and any other requesting regulatory agency (i.e. USACE, USFWS, or CDFW). Permit Sonoma shall review the reports required by the mitigation and ensure that measures recommended by the qualified biologist to avoid sensitive habitat or species are noted on the final project plans and required as a condition of approval (COA).

**Mitigation Monitoring: BIO-1.** Prior to issuance of any grading permit(s) for each construction Phase, Permit Sonoma shall review the reports required by Mitigation Measure BIO-1 and ensure that measures recommended by the qualified biologist to avoid sensitive habitat or species are noted on the final project plans and required as a condition of approval (COA).

**Mitigation Measure: BIO-2: Offsite Mitigation Credits for Sebastopol Meadowfoam.** The applicant shall mitigate unavoidable impacts to meadowfoam habitat by purchasing offsite mitigation credits for Sebastopol meadowfoam and/or purchasing and preserving viable Sebastopol meadowfoam habitat. Final mitigation ratios would be determined by the USFWS and CDFW.

**Mitigation Monitoring: BIO-2.** Prior to issuing any grading permit(s) in any project phase, Permit Sonoma shall verify that the applicant has submitted proof of purchase of CDFW- and USFWS-approved Sebastopol meadowfoam mitigation credits to Permit Sonoma, CDFW, and USFWS.

**Mitigation Measure: BIO-3: Avoid and/or Transplant Lobb’s Buttercup.** The applicant shall avoid impacting Lobb’s buttercup to the greatest extent possible. In the event Lobb’s buttercup cannot be avoided, the applicant shall retain a qualified biologist to transplant individuals to unimpacted areas within the project area and/or replace plants at a 1:1 ratio.

**Mitigation Monitoring: BIO-3.** Prior to issuance of any grading permit(s), Permit Sonoma shall review any measures recommended by the applicant’s qualified biologist to confirm successful transplantation of Lobb’s buttercup and habitat avoidance. Permit Sonoma shall confirm that all measures are noted on the final project plans prior to permit issuance.

**Mitigation Measure: BIO-4: Worker Education Awareness Training (WEAT) and Installation of Fencing for Sensitive Habitat Protection.**

**BIO-4a.** All construction workers and other site personnel, including operational personnel, shall attend a mandatory WEAT program prior to working on the site. A qualified biologist shall provide WEAT to construction workers and other site personnel within 48 hours prior to the start of any ground-disturbing or vegetation removal activities or the start of grading in Phase I, Phase II and Phase III. The training shall at a minimum include:

- A brief presentation to describe the project site's protected natural resources to contractors, their employees, and any other personnel involved in project construction;
- Description of relevant special-status species that are present or have potential to occur within the Study Area (Lobb's buttercup, Sebastopol meadowfoam, and CTS), and nesting birds, along with their habitat requirements and where they may occur within the project site;
- Explanation of the status of these species and their protection under federal, state, and/or local regulations, as well as penalties for violation of protective regulations;
- List of measures in place to reduce potential impacts and protect natural resources during project construction and implementation; and
- Instructions if a special-status species is found onsite.

A fact sheet conveying this information shall be prepared for posting and distribution to the above-mentioned people and anyone else who may enter the construction area. The handout shall also be made available to workers on site for future reference. Workers shall be familiarized with avoidance areas from which activity is restricted. Upon completion of training, workers shall sign a form stating that they attended the training and will comply with all the conservation and protection measures. The worker education program shall be repeated as necessary when new construction crews initiate work at the site. The biologist shall maintain records of personnel who have received WEAT, which shall be made available to the applicant, County, and any other interested agencies upon request.

**BIO-4b.** After the initial WEAT training and prior to commencing site work, including grading, grubbing, vegetation removal, fence installation, and similar activities, environmentally sensitive habitat to be protected and avoided within the project site shall be demarcated with orange plastic fencing in the field under the guidance of a qualified biologist familiar with the habitats.

Mitigation Monitoring: **BIO-4.** Prior to issuance of any grading permit(s), the County shall review the results of all pre-construction surveys and measures recommended by the biologist to avoid sensitive habitat or species and shall ensure that the recommended measures are incorporated on the final project plans. Permit Sonoma will verify that preconstruction surveys are planned within 48 hours of initiation of project activities.

Mitigation Measure: **BIO-5a: Mitigation for Loss of California Tiger Salamander Habitat.** Because project implementation may impact CTS as described previously in the Special-Status Wildlife section, mitigation requirements would apply to the entire project area, except the portions of the project site that are covered with existing hardscape. In addition, projects and other activities shall incorporate measures to minimize their potential direct and indirect effects on CTS. Minimization measures may vary based on environmental factors and site location as determined by USFWS and CDFW.

With the proposed CTS mitigation measures outlined within this document, it is likely that USFWS would provide FESA Incidental Take authority and allow USACE to authorize a permit to impact jurisdictional features for the proposed project. It would also allow USFWS to give Incidental Take authority for project impacts to CTS, and mitigation requirements by USFWS and CDFW shall supersede those set forth in this mitigation measure. Those will likely include either or a combination of purchase of mitigation credits at an authorized mitigation bank for CTS, or the purchase and creation of CTS habitat to be protected in perpetuity.

**BIO-5b: OPTIONAL MITIGATION: Establish a Mitigation Bank for Conservation and Creation of Wetlands and Listed Plant Habitat on the Santa Rosa Plain.** The project proponent may establish their own offsite mitigation with approval by USFWS and CDFW. To establish offsite mitigation, parcels purchased must be at least 10 acres in size. To seek credit for listed plants impacted, the listed plant species must either be present or have a strong probability that they can be established at the offsite parcel. If listed plants do not already occur in existing wetlands on the offsite parcel, it may be possible to translocate seed from other populations with approval of USFWS. New wetlands may be created on the property for additional wetlands mitigation credit and inoculated with listed plant seed for establishing listed plants credits. In order to ultimately claim mitigation credit both newly created wetlands and listed plants, the creation and establishment must be successful. Success is determined by monitoring over a period of five years and filing annual reports with agencies.

The mitigation and/or preserved land must be protected in perpetuity by a conservation easement. The conservation easement would state that the preserved land must never be developed and must be managed according to a long-term management plan approved by USFWS. The conservation easement must be held by a third-party organization qualified to hold conservation easements, and a non-wasting endowment must be provided to the third party to cover annual costs of managing the preserve land in perpetuity.

Mitigation Monitoring: **BIO-5:** The applicant shall provide Sonoma County with documentation of the USFWS project-amended Biological Opinion (Incidental Take permit), the CDFW's §2081 Incidental Take permit, and/or the Habitat Conservation Plan process documentation prior to the commencement of grading on the project site.

Mitigation Measure: **BIO-6a: Formally Consult with US Fish and Wildlife Service and California Department of Fish and Wildlife to Avoid Western Portion of Property.** To clarify required mitigation ratios, formal consultation with USFWS and CDFW would determine if the eastern portion of the project site would be required to be mitigated for at a lower 1:1 ratio if the western portion of the property, which is outside of the 2,200 feet threshold for

the 2:1 mitigation ratio, is avoided and/or restored and conserved. Prior to any ground disturbing activities, the applicant shall consult with USFWS to determine measures to avoid identified habitat areas on the west side of the property and possibly restore and/or conserve CTS breeding habitat to potentially reduce the amount of compensatory mitigation bank credits required to be purchased.

**BIO-6b: Consult with US Fish and Wildlife Service and California Department of Fish and Wildlife to Determine Permanent or Temporary Impacts.** The applicant shall consult with USFWS to determine a maintenance plan to minimize any potential ongoing impacts to CTS and other protected natural resources. Agency consultation shall also determine if protective measures outlined in this document are sufficient to limit permanent impacts. Operational activities causing impacts shall be avoided to the fullest extent possible under a site maintenance plan. The applicant and USFWS shall also consult regarding the level of mitigation needed during operation of the cemetery. If considered permanent, the applicant may be required to create an off-site CTS conservation area or purchase mitigation credit(s) at a nearby mitigation bank, contingent on USFWS/CDFW approval.

Mitigation Monitoring: **BIO-5 and BIO-6.** Permit Sonoma shall not issue a construction permit and no impacts to jurisdictional wetland features shall occur until all regulatory permits are received from the appropriate agencies and all permit provisions have been met, including impact avoidance and mitigation requirements. Permit Sonoma shall verify that proof of the purchase of mitigation credits has been provided to Sonoma County, the USACE, RWQCB, and CDFW prior to issuance of grading permits.

- 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 Wildlife or U.S. Fish and Wildlife Service?**

Comment:

The project is zoned for Valley Oak Habitat (VOH), and onsite Valley Oaks and oak woodland would remain and be undisturbed by project buildout. The project site does not support riparian habitat, and the nearest riparian area is Colgan Creek Flood Control Channel, approximately 1,000 feet east of the project site. Impacts to these sensitive natural communities would be less than significant as a result of project development. Wetland impacts are discussed in 4.c below.

Significance Level: Less than Significant Impact

- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Comment:

The proposed project would fill and/or otherwise permanently impact wetlands and interrupt their natural hydrology. A Preliminary Jurisdictional Determination dated May 2014, was submitted in 2018 with the application materials. and covered 23.47 acres over three parcels including the project parcel (APN: 134-082-046, 134-082-055, 134-082-054). The study concluded that the project area contains approximately 3.33-acres of wetland areas. Three types of wetlands were delineated in the study area including:

- Seasonal wetland depressions: 0.31 acres
- Seasonal wetland swales: 1.96 acres
- Vernal pools: 1.06 acres

The study concluded that these wetlands are connected to navigable waters (Laguna de Santa Rosa and Russian River) and therefore, meet the definition of “Waters of the United States” under Section 404 of the Clean Water Act. The Project is within the Santa Rosa Plain and the Jurisdictional Determination found vernal pools present within the Study Area in addition to seasonally wet depressions and swales.<sup>22</sup> These features are regulated by the United States Army Corps of Engineers (USACE) and the Regional Water Quality Control Board (RWQCB). Filling and/or otherwise permanently impacting their hydrology (e.g., for road crossings, structures, etc.) requires permits from these agencies and mitigation to replace lost wetland habitat, either on the subject property or through purchase of wetland mitigation credits.

The project is a three-phased cemetery on 10.33 acres of the 21-acre parcel. The site plans outline wetlands disturbance in the following Phases: 0.03 acres disturbance in Phase I, 0.48 disturbance in Phase II, and 0.48 in Phase III,<sup>23</sup> totaling 0.99 acres of wetland disturbance. Phase II construction proposes filling wetlands and building two culverts as part of project buildout on the eastern side of the site and culverting a wetland in the western portion near Phase III burial plots. The applicant estimates that 400 cubic yards (CY) of soil may be required if wetland impacts remain in the final project plans. The USACE and CDFW have a “no net loss of wetlands” policy, and the applicant must create or preserve a wetland of the same type at a ratio determined by consultation with USFWS, CDFW, and USACE. The project proposes construction activities within jurisdictional waters and regulated by USACE. The placement of fill into such waters must comply with permit requirements of USACE. As a part of the permit process, USACE works directly with USFWS and CDFW to assess project impacts on biological resources. Mitigation for wetlands impacts on the Santa Rosa Plain is most often handled by purchase of wetlands mitigation bank credits, but actual mitigations would be determined through consultation with USACE, USFWS, CDFW and the applicant, per **Mitigation Measures BIO-7 and BIO-8**.

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<sup>22</sup> WRA, May 2014. Preliminary Jurisdictional Determination.

<sup>23</sup> Swicegood Civil Engineering, Inc. July 29, 2019. Sheet C1 through C3. Overall Site Plans Phase I, Phase II, Phase III.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation Measure: **BIO-7: Avoid Indirect Impacts to Federal and State Jurisdictional Habitats.** The following general best management practices (BMPs) shall be included on the project plans to minimize impacts to nearby federal and state jurisdictional wetlands and riparian habitat:

1. Prior to construction, protective buffers shall be established surrounding all federal and/or state jurisdictional features to prevent impacts to adjacent and nearby waterbodies. The location of the buffers shall be placed specifically where runoff and/or other construction debris can be prevented from entering non-target jurisdictional features, including those on and offsite. Silt fencing and construction fencing (to make the silt fencing more visible) shall be installed around the sensitive habitat areas. The final location of the installed fencing shall be determined and approved by a qualified biologist prior to initiation of any ground-disturbing activities, including but not limited to staging, vegetation removal, and grading. The fencing around jurisdictional features shall be monitored regularly during construction activities to ensure that the fencing remains intact and functional, and that encroachment has not occurred into non-target sensitive habitat. If site personnel, contractors, or others (i.e. monitoring biologist) onsite during project implementation notice a visible increase in water turbidity in non-target jurisdictional features, repairs to the fence or encroachment correction shall be conducted immediately.
2. Travel and parking of vehicles and equipment shall be limited to pavement, existing roads, and established staging areas. Ground disturbance and vegetation removal will not exceed the minimum amount necessary to complete work at the site.
3. Temporary work areas shall be restored with respect to pre-existing contours and conditions upon completion of work. Restoration work, including re-vegetation and soil stabilization, shall be evaluated by Permit Sonoma Natural Resources Division upon completion of work. Use of invasive plant species for landscaping and re-vegetation is prohibited.



**Mitigation Measure: BIO-8: Obtain Federal and State Regulatory Permits for Impacts to Jurisdictional Waters if Avoidance is Not Feasible.** Any alterations of, or discharges into, waters of the U.S. and state, must be implemented in conformance with Sections 404 and 401 of the CWA via certification and permitting prior to any grading or construction that may impact jurisdictional area(s). Activities that usually involve a regulated discharge of dredged or fill materials include (but are not limited to) grading, placing of riprap for erosion control, pouring concrete, laying sod, preparing soil for planting (e.g., turning soil over, adding soil amendments), stockpiling excavated material, mechanized removal of vegetation, and driving of piles for certain types of structures.

USACE shall be consulted if site conditions change through time that result in changes of location or extent of jurisdictional aquatic habitat or the project is modified that will result in greater impacts to aquatic habitat. Depending on consultation, a revised jurisdictional delineation, amended permit, or new permit may be required.

In addition, the applicant will be required to obtain Section 401 Water Quality Certification from the RWQCB. The project applicant is responsible for complying with all conditions outlined in the applicable USACE and RWQCB permits. In addition, compensatory mitigation for the loss of wetlands/waters may be required via the purchase of wetland credits from an agency-approved wetland mitigation bank at a ratio to be determined through agency consultation. The quantity of mitigation credits purchased would be based upon the agency issuance of permits stating how much wetland has been impacted and what mitigation ratio would apply to the project.

**Mitigation Monitoring: BIO-7 and BIO-8.** Prior to issuance of any grading permit(s), the County shall review the locations of all federal and state jurisdictional drainages and verify that these are depicted on the final project plans. To avoid direct or indirect impacts to nearby jurisdictional features, the contractor shall implement all impact avoidance and minimization measures outlined in **Mitigation Measure BIO-4**. If it is determined that complete avoidance of jurisdictional features is not feasible, project implementation-related impacts shall not occur until applicant applies for and receives all regulatory permits from the appropriate agencies and all permit provisions have been met, including impact avoidance and compensatory mitigation requirements (if applicable). If applicable, Permit Sonoma will verify that proof of purchase of wetland mitigation credits has been provided to Sonoma County, the USACE, and the RWQCB prior to issuance of grading permits.

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

**Comment:**

Wildlife corridors are linear and/or regional habitats that provide connectivity between or to other naturally vegetated open spaces. Wildlife corridors have several functions: 1) they provide avenues along which wide-ranging animals can travel, migrate, and breed, allowing genetic interchange to occur; 2) populations can move in response to environmental changes and natural disasters; and 3) individuals can recolonize habitats from which populations have been locally extirpated. All of these functions can be met if both regional and local wildlife corridors are accessible to wildlife. Regional wildlife corridors provide foraging, breeding, and retreat areas for migrating, dispersing, immigrating, and emigrating wildlife populations. Local wildlife corridors provide access routes to food, cover, and water resources typically within restricted habitats that are typically used by small numbers of resident wildlife species that have restricted home ranges. Migrating birds that usually are adapted to higher levels of disturbance may also temporarily perch or feed in these restricted habitats. In the area of the project site, remaining open spaces are fractured by urbanization and other developments that include landscaping or that are otherwise actively used by humans.

The project site is bordered on the east by Stony Point Road, which poses a hazard to terrestrial wildlife movements. Stony Point Road is a main North/South thoroughfare through Santa Rosa to the surrounding residential and commercial areas extending south towards Cotati. The project site is bordered to the south and east by grazed ranchland and ranch style housing. The project site has some regional context between other open spaces, and because the project proposes a few small buildings, final buildout would not impede wildlife movement. Migratory birds that stop at the project site would not be affected by the project and could continue to stop on the project site or fly over, using other areas for resting, perching, or foraging. Project buildout would not adversely impact any significant local or regional wildlife movement corridor and would result in less than significant impacts to wildlife corridor habitat. Impacts to migratory birds are typically avoided by removing vegetation and conducting ground-disturbing activities only between September 1 and February 15 to avoid bird-nesting season (**see Mitigation Measure BIO-9**), by having a qualified biologist verify absence immediately prior to vegetation removal, or by utilizing other bird deterrence measures installed prior to the nesting season to prevent any colonization of habitat planned to be impacted.

As mentioned in 4.a, final project buildout would result in impacts from burials, and a consultation with USFWS would be necessary to determine if these impacts would be temporary or permanent, which is covered in **Mitigation Measure BIO-4b**. There would be movement disruption for terrestrial wildlife during construction, but cemetery operations would be limited to landscaping activities, and occasional gatherings, which would not permanently impact migration to or through the project site by terrestrial wildlife. To ensure that no wildlife enters the active construction areas, wildlife exclusion fencing shall be constructed around the perimeter of the construction area with have a 6-8-inch gap at the base (or exit holes) to allow for animals to escape from inside the area during

construction. This fencing would impede wildlife movement through the project site. However, the parcel is sparsely developed and there is ample space for movement around the fenced area both onsite and through neighboring parcels. **See Mitigation Measure BIO-10.**

Significance Level before Mitigation: Less than Significant with Mitigation Incorporated

**Mitigation Measure: BIO-9: Nesting Bird Avoidance or Conduct Preconstruction Surveys.**

The following measures shall be taken to avoid potential inadvertent destruction or disturbance of nesting birds on and near the project site:

- a) To avoid impacts to nesting birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall occur outside the avian nesting season (generally prior to February 1 or after August 31). Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest.
- b) If construction-related activities are scheduled to occur during the nesting season (generally February 1 through August 31), a qualified biologist shall conduct a habitat assessment and pre-construction nesting bird survey of the project site and surrounding no more than seven (7) days prior to initiation of work. The qualified biologist conducting the surveys shall be familiar with local nesting bird ecology. Surveys shall be conducted at the appropriate times of day during periods of peak activity (i.e., early morning or dusk) and shall be of sufficient duration to observe movement patterns. Surveys shall be conducted within the project area and 250 feet of the construction limits for nesting non-raptors and 1,000 feet for nesting raptors, as feasible. If the survey area is found to be absent of nesting birds, no further mitigation would be required. However, if project activities are delayed by more than seven days, an additional nesting bird survey shall be performed within seven days prior to initiation of work.
- c) If pre-construction nesting bird surveys result in the location of active nests, no site disturbance (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall occur until a qualified biologist has established a temporary protective buffer around the nest(s). The buffer must be of sufficient size to protect the nesting site from construction-related disturbance, and be species- and site-specific, as determined by the qualified biologist. A nest buffer, where it intersects the project site, should be staked with orange construction fencing or orange lath staking. Any active nests shall be monitored by a qualified biologist to ensure compliance with the relevant Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFG) requirements. The biologist shall document monitoring efforts and provide documentation to the applicant, County, or other agency upon request. No-work nest protection buffers may be removed and/or reduced if the qualified biologist determines the young have fledged

the nest, the nest has otherwise become inactive due to natural cause (i.e. storm events or predation), or if the qualified biologist determines in coordination with CDFW that construction activities are not likely to adversely affect the nest. The qualified biologist and CDFW may agree upon an alternative monitoring schedule depending on the construction activity, season, and species potentially subject to impact.

- d) A report of the findings shall be prepared by a qualified biologist and submitted to Permit Sonoma prior to the initiation of construction-related activities that have potential to disturb any active nests. The report shall include recommendations required for establishment of protective buffers as necessary to protect nesting birds. A copy of the report shall also be submitted to applicable regulatory agencies.

**Mitigation Monitoring: BIO-9.** Before permits for ground disturbing activities shall be issued, Permit Sonoma shall verify that the site has been surveyed by a qualified biologist to ensure that no active bird nest disturbance or destruction would occur as a result of the project and shall ensure that, if necessary based on the findings of site surveys, that nest protection buffers are fenced off and active nest monitoring is initiated prior to permit issuance.

**Mitigation Measure: BIO-10: Install Wildlife Exclusion Fencing During Construction.** To prevent special-status amphibians and reptiles from entering the project area during construction, a wildlife exclusion fence shall be installed along the perimeter of the wetlands beginning early April of the year of construction. This fence shall be maintained during the duration of project activities in each phase of construction. The exclusion fence shall be designed by a qualified biologist with specifications for fence type, height above ground, and burial below ground. The exclusion fence post shall be located on the work side of the fence with the fabric on the outside of the area relative to the stakes.

- Wildlife exclusion fencing shall ensure that migrating CTS do not enter the project site while grading for trenches, roadways, and foundation/driveway is underway. This fencing shall be inspected daily by a qualified biologist or a trained construction manager while grading is occurring, should grading occur from October 1 through March 1. If CTS is found trapped against the fence or under cover boards and must be moved, it shall only be moved by a qualified biologist and as approved for handling by USFWS and CDFW.
- Pre-construction surveys for CTS shall be performed within 48 hours of initiation of project activities (including initial ground disturbing activities).
- No construction activities shall occur during rain events, defined as ¼ inch of rain falling within a 24-hour period. Construction activities may resume 24 hours after the end of the rain event.
- Work shall not be conducted at the areas proposed for stormwater improvements any time 30 minutes before sunrise or sunset.

A qualified biologist shall provide WEAT (per Mitigation Measure BIO-4) to construction workers and other site personnel prior to the start of grading in all construction Phases.

Mitigation Monitoring: BIO-10. Prior to issuance of any grading permit(s), Permit Sonoma shall review and approve the results of all pre-construction surveys, and any measures recommended by the qualified biologist(s) to avoid sensitive habitat or species and shall verify that the recommendations are noted on the final project plans.

**e) Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?**

Comment:

The project site is located in Valley Oak Habitat (VOH), which is a sensitive natural community. No Valley Oak (*Quercus lobata*) trees are proposed to be removed, and the project would comply with the Sonoma County Valley Oak Protection Ordinance, which protects trees in the VOH Combining District. The project does not contain any additional trees that are protected under the Sonoma County Tree Protection Ordinance. The project would be consistent with Sonoma County General Plan 2020 Land Use and Open Space & Resource Conservation Elements' goals, policies, and objectives to protect natural resource lands including, but not limited to watershed, fish and wildlife habitat, biotic areas, and habitat connectivity corridors.

Significance Level: Less than Significant Impact

**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?**

Comment:

Habitat Conservation Plans and natural community conservation plans are site-specific plans to address effects on sensitive species of plants and animals. The project site is not located in an area subject to a habitat conservation plan or natural community conservation plan. As discussed in section 4.a, the project is located in the Santa Rosa Plain, which is protected by a long-term conservation program to mitigate potential adverse effects on species such as CTS and listed plant species as a result of development in the area.

The Conservation Strategy provides guidance to USFWS's policies for reviewing projects that affect listed species on the Santa Rosa Plain. The Conservation Strategy provides the biological framework upon which the PBO is based and provides avoidance/minimization measures and required mitigation ratios for CTS and listed plants that are incorporated into the PBO.<sup>24</sup> Projects that would require Corps permit approval (such as the proposed project) may be appended to the PBO and thereby provided individual take authorization, if the projects do the following: (1) apply the PBO's interim mitigation ratios, and (2) adhere to all applicable avoidance and minimization measures in the PBO. The final decision to

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<sup>24</sup> U.S. Fish and Wildlife Service, Sacramento Office. Santa Rosa Plain Conservation Service Actions. Accessed online March 26, 2020: <https://www.fws.gov/sacramento/es/Recovery-Planning/Santa-Rosa/>

allow appendage rests with USFWS which reserves the right to require a separate Section 7 consultation for any project based on the level of impacts, avoidance, minimization, or mitigation measures. Under the Conservation Strategy,<sup>25</sup> the project site is situated within the mapped area designated as “within 1.3 miles of known breeding habitat for California tiger salamander” and an area that supports rare or endangered plant species, although not within a conservation area. The project shall be developed in accordance with the guidelines applicable to this mapped area of the Conservation Strategy through implementation of **Mitigation Measures BIO-1 through BIO-10**, which requires the applicant to obtain Incidental Take Authorization for listed species and regulatory permits for impacts to jurisdictional wetlands, and to purchase compensatory mitigation credits for CTS, listed plants, and seasonal wetlands, or to carry out equivalent alternative mitigation as may be approved by the applicable federal agencies.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation Measures: **BIO-1 through BIO-10**

Mitigation Monitoring: **BIO-1 through BIO-10**

## 5. CULTURAL RESOURCES

Would the project:

- a) **Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?**

Comment:

A Cultural Resources Study was prepared for the project by Julianne Mercer and Tom Origer on September 25, 2015.<sup>26</sup> The Origer study included archival research, inspection of the project location, and contact with the Native American community. The study, including field surveys, concludes that the property has no cultural resources or historic properties. The report also concludes that none of the existing buildings onsite are considered historically significant and thus no resource specific recommendations were given.

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<sup>25</sup> U.S. Fish and Wildlife Service, 2007. Santa Rosa Plain Conservation Strategy Map,” accessed online March 26, 2020: [https://www.fws.gov/sacramento/ES/Recovery-Planning/Santa-Rosa/Documents/figure-3\\_REVISED\\_4-18-07.pdf](https://www.fws.gov/sacramento/ES/Recovery-Planning/Santa-Rosa/Documents/figure-3_REVISED_4-18-07.pdf)

<sup>26</sup> Tom Origer and Associates, September 25, 2015. Cultural Resources Study for the Saints Peter and Paul Churchyard Cemetery Project, Santa Rosa, Sonoma County, California (“Origer Study”).



Permit Sonoma staff referred the project application to the Northwest Information Center - Sonoma State University (NWIC) for review and recommendations. The NWIC noted (September 4, 2018) two cultural resource studies covering the project area. One of the studies include an archaeological survey by Mercer and Origer in 2015 that identified no cultural resources. The NWIC also noted that an architectural survey was conducted by Praetzellis et al in 1989 that identified one potential cultural resource within the project area. The NWIC comment letter further notes that *"The proposed project area contains a recorded farmstead, P-49-005068, containing both buildings and structures...As per comments from Mercer and Origer's 2015 report, none of these buildings are significant because they are very common to the region and/or have been modified over the years. No further recommendations at this time (p.7)."*

Significance Level: No Impact

**b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

Comment:

In September 2015, Origer & Associates contacted the Native American Heritage Commission and area tribes and received one response from the Native American Heritage Commission which provided a list of appropriate tribes for further contact. The response recommended that tribes be contacted for information regarding the site. Subsequently, Origer & Associates contacted the following tribes, none of which provided responses to them at the time of the Cultural Resource Study: Cloverdale Rancheria, Dry Creek Rancheria, Federated Indians of Graton Rancheria, Lytton Band of Pomo Indians, and Stewarts Point Rancheria. Origer also contacted Ya-Ka-Ama Indian Education Center.

A field survey was completed by Origer & Associates on September 16, 2015 which involved walking and intensively examining the 24.16-acre project site within 20-25 meter wide transects. Hoes were used as necessary to clear vegetation and inspect ground surfaces. Rodent burrows allowed for examination of some subsurface soils. An existing ditch along the western property provided for subsurface examination. The field survey resulted in no findings of prehistoric or historical archaeological resources within the study area and no resource-specific recommendations were made.

Section 11-14-050 of the Sonoma County Grading Ordinance establishes uniformly applied development standards to reduce the potential for impact to cultural resources to a less than significant level by requiring that all work be halted in the vicinity where human remains or archaeological resources are discovered during construction grading and drainage and that the Director of Permit Sonoma and the County Coroner be notified to ensure compliance with state law regarding the proper disposition of human remains, including those identified as Native American. Similarly, if archaeological resources or

suspected archaeological resources are discovered, the Director of Permit Sonoma shall notify the State Historic Preservation Office and Northwest Information Center at Sonoma State University and the permittee shall retain a qualified archaeologist to evaluate the find to ensure proper disposition of the archaeological resources or suspected archaeological resources. The director shall provide notice of the find to any tribes that have been identified as having cultural ties and affiliation with the geographic area in which the archaeological resources or suspected archaeological resources were discovered, if the tribe or tribes have requested notice and provided a contact person and current address to which the notice is to be sent. The director may consult with and solicit comments from notified tribes to aid in the evaluation, protection, and proper disposition of the archaeological resources or suspected archaeological resources. Archaeological resources may include historic or prehistoric ruins, burial grounds, pottery, arrowheads, midden, or culturally modified soil deposits. Artifacts associated with prehistoric ruins may include humanly modified stone, shell, bone, or other cultural materials such as charcoal, ash, and burned rock indicative of food procurement or processing activities. Prehistoric domestic features may include hearths, fire pits, or floor depressions; mortuary features are typically represented by human skeletal remains.

**Mitigation Measure: See TCR-1 through TCR-4 and GEO-1 through GEO-4**

**Mitigation Monitoring: Implement Mitigation Monitoring TCR-1 through TCR-4 and GEO-1 through GEO-4**

**c) Disturb any human remains, including those interred outside of dedicated cemeteries?**

**Comment:**

As discussed in Section 5.b, the Origer Study did not identify burial sites within the vicinity of the project area. However, the site would be disturbed by grading and construction activities, which could uncover undocumented materials. Sonoma County Code Section 11-14-050 provides procedures for protection of human remains, including notifying the county coroner and complying with all state law requirements (Health and Safety Code section 7050.5 and Public Resources Code section 5097.98) to ensure proper disposition of the human remains or suspected human remains, including those identified to be Native American remains.

As required by State law and County Code, if human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify Permit Sonoma and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated, and the appropriate measures implemented in

compliance with the California Government Code and Public Resources Code. In addition to the regulations mentioned above, mitigation measure (TCR-5) shall be implemented to safeguard potential human remains.

Implementation of this standard County policy would ensure that this impact would be less than significant.

Mitigation Measure: See **TCR-5**

## 6. ENERGY

**Would the project:**

- a) **Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

Comment:

Energy would be consumed during construction and operation of the proposed project. Energy in the form of gasoline and diesel fuel would be required during construction of new facilities (e.g., storage building, refrigeration building, access road, parking area, and monument plaza). The energy required for these activities is a necessary component of construction. Construction would consume energy from gasoline and diesel fuels, and the proposed project would include measures that would reduce the amount of fuel consumption during construction, such as minimizing idling time of diesel-powered construction equipment (see **Mitigation Measure AIR-1** in Section 3). Due to the relatively small size of this project, construction would not be expected to result in a significant impact for demand on suppliers of gasoline and diesel fuels; therefore, energy impacts would be less than significant.

The proposed operation, including the storage and refrigeration buildings, would consume energy during its year-round operation, increasing energy usage relative to existing conditions. Specifically, proposed project operations would result in energy usage for lighting, landscape maintenance, installation of vaults, and increased vehicle trips to the site from visitors and employees. Per email correspondence<sup>27</sup> between the applicant and DTPW, the average traffic generation associated with the project operations is anticipated to be three cars and one truck trip(s) per week for employees. The project proposes four events per year which are anticipated to generate an additional 15 vehicle trips per event to the site on average. Additionally, it is anticipated that participants of the events will jointly be attending services at the adjoining church site. The proposed new structures would be

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<sup>27</sup> Stewart, Todd. "Data Response to Dept. of Transportation and Public Works Request No.1." Message to Chet Jamgochian. September 14, 2018.

subject to Part 11 of the Title 24 Building Standards Code (referred to as the California Green Building Standards Code; CAL Green Code). The CAL Green Code and California Energy Code require implementation of minimum energy efficiency standards that reduce wasteful consumption. The project proposes to use LED lights to reduce energy consumption and would incorporate energy-efficient designs for windows and doors. The project would not result in a significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources.

Significance Level: Less than Significant Impact

**b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

Comment:

There are no state or local plans applicable to the proposed project. As described in Section 6.a above, the project would comply with Title 24 Building Standards Code and Sonoma County Ordinance 7D2-1, which pertain to energy efficiency, and would include design features that would reduce unnecessary consumption of energy.

Significance Level: No Impact

## **7. GEOLOGY AND SOILS**

**Would the project:**

**a) Directly or indirectly cause 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.**

Comment:

The project is not within a fault hazard zone, as defined by the Alquist-Priolo fault maps.<sup>28</sup>

Significance Level: No Impact

- ii. Strong seismic ground shaking?**

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<sup>28</sup> California Geologic Survey. California Department of Conservation, "Earthquake Zones of Required Investigation Map," accessed March 18, 2020. <https://maps.conservation.ca.gov/cgs/EQZApp/app/>

Comment:

All of Sonoma County is subject to seismic shaking that would result from earthquakes along the San Andreas, Rodgers Creek, and other faults. The site's proximity to the Rodgers Creek Fault, which lies approximately 4 miles east, indicates that the intensity of ground shaking and damage from anticipated future earthquakes in the project area is categorized as 'Strong' according to the General Plan's Public Safety Element.<sup>29</sup>

All construction activities would be required to meet the California Building Code regulations for seismic safety, including designing all earthwork, cuts and fills, drainage, pavements, utilities, foundations and structural components in conformance with the specifications and criteria contained in the project final geotechnical report, which shall be completed and submitted to Permit Sonoma prior to project approval. Standard County development procedures include review and approval of construction plans prior to the issuance of a building/grading permit. In addition, as required by the building code, the geotechnical engineer would be required to submit an approval letter for the engineered grading plans prior to issuance of the grading permit; prior to final issuance of the grading permit, the geotechnical engineer would be required to inspect the construction work and certify to Permit Sonoma, prior to the acceptance of the improvements or issuance of a certificate of occupancy, that the improvements have been constructed in accordance with the geotechnical specifications. All work would be subject to inspection by Permit Sonoma for conformance with all applicable code requirements and approved improvement plans.

Significance Level: Less than Significant Impact

**iii. Seismic-related ground failure, including liquefaction?**

Comment:

Strong ground shaking can result in liquefaction, the sudden loss of sheer strength in saturated sandy material, resulting in ground failure. The project site is not located within a high liquefaction hazard area according to the General Plan's Public Safety Element.<sup>30</sup>

Significance Level: Less than Significant Impact

**iv. Landslides?**

Comment:

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<sup>29</sup> Sonoma County. General Plan 2020, "Earthquake Ground Shaking Hazard Areas Figure PS-1a" accessed March 18, 2020 <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Earthquake-Ground-Shaking-Hazard-Areas/>

<sup>30</sup> Sonoma County. General Plan 2020 Public Safety Element, "Liquefaction Hazard Areas Fig. PS-1c," accessed March 18, 2020. <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Liquefaction-Hazard-Areas/>

The project area is flat and according the General Plan's Public Safety Element, is located in a Landslide Susceptibility Class 0 (zero landslide potential).<sup>31</sup> The project is therefore considered to have a negligible potential for landslides.

Significance Level: Less than Significant Impact

**b) Result in substantial soil erosion or the loss of topsoil?**

Comment:

The applicant is requesting a Use Permit to allow for a three-phase, 10.07-acre cemetery on a 21-acre parcel. Phase I includes demolition of an existing barn and garage; construction of a 960-square foot refrigeration building, a 960-square foot equipment storage building, and a 320-square foot columbarium; construction of a 14- to 20-foot-wide access road between the planned monument area and Stony Point Road, and a 2.46-acre cemetery burial area. Phase II includes construction of a memorial plaza and an additional 5.3 acres of cemetery burial area. Phase III includes an additional 2.31 acres of cemetery burial area. The project would be installing 7,530 square feet of impervious surfaces. The project proposes 350 CY cut and 350 CY gravel road fill. For Phase II, 400 CY of cut would be used to fill planned wetland areas (discussed in Section 4 Biological Resources). Phase III proposes 150 CY of cut and 150 CY gravel road fill. All cut soil from phases I and III would be hauled offsite.

As discussed in Section 10, Hydrology and Water quality, erosion and sediment control provisions of the Drainage and Stormwater Management Ordinance (Chapter 11, Sonoma County Code) and Building Ordinance (Chapter 7, Sonoma County Code), require implementation of Best Management Practices (BMPs) to reduce runoff from construction and during operation. Required inspection by Permit Sonoma staff would ensure that all grading and erosion control measures are constructed according to the approved plans. These ordinance requirements and BMPs are specifically designed to maintain potential water quantity impacts at a less than significant level during and post construction.

To protect water quality, the applicant would comply with County grading ordinance design requirements and adopted County grading standards and construction BMPs. These BMPs include practices such as silt fencing, straw wattles, construction entrances to control soil discharges, and primary and secondary containment areas for petroleum products, paints, lime, as well as mandated limitations on work in wet weather, and standard grading inspection requirements. These measures limit potential erosion and maintain potential water quality impacts at a less than significant level during project construction.

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<sup>31</sup> Sonoma County. General Plan 2020 Public Safety Element, "Deep Seated Landslide Hazard Areas Fig. PS-1d," accessed March 18, 2020. <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Deep-seated-Landslide-Hazard-Areas/>

The County-adopted grading ordinances and standards and related conditions of approval also require compliance with all standards and regulations adopted by the State and Regional Water Quality Control Board, such as the Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, and any other adopted BMPs. Therefore, no significant adverse soil erosion or related soil erosion water quality impacts are expected given the mandated conditions and standards. Further discussion can be found in Section 10, Hydrology and Water Quality.

Significance Level: Less than Significant Impact

- 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?**

Comment:

The project is not in a landslide prone area or fault zone and does not have a high potential for liquefaction and ground shaking. The project site is flat and there are no exposed faces or creek banks, which indicates low risk for lateral spreading and lurching. The design and construction of new structures is subject to the engineering standards of the California Building Code (CBC), which considers soil properties, seismic shaking, and foundation type. Project conditions of approval require that building permits be obtained for all construction and that the project meet all standard seismic and soil test/compaction requirements. The project would not expose people to substantial risk of injury from seismic shaking.

Significance Level: Less than Significant Impact

- d) **Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

Comment:

Table 18-1-b of the Uniform Building Code is an index of the relative expansive characteristics of soil as determined through laboratory testing. The project site contains some soils that have moderate to high potential for shrink-swell, which could result in soil expansion. The final geotechnical report required as part of standard County development procedures (see section 7.a.ii) would include an analysis of expansive soil hazards and recommended stabilization measures. Implementation of these measures and conformance with standard CBC and other applicable State and local regulations would be conditions of approval for the project; therefore, potential hazards from expansive soils would be less than significant.

Significance Level: Less than Significant Impact



**e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

Comment:

The project site is not served by public sewer. The onsite residence's domestic water supply is provided by the well located on the church property (APN 134-082-054). The septic tank and leach field that serve the residence are located on the project site southwest of the residence. A septic system north of the existing barn serves the barn's laundry room and toilet. This system will be retained.

The project does not propose any septic or wastewater systems and would include abandonment of the barn's septic system. Proposed onsite special events would be limited to less than two hours and no food or beverages would be served, and no onsite restroom facilities are proposed. An ADA-compliant restroom on the church property serves the church staff and would serve future cemetery employees.

Significance Level: Less than Significant Impact

**f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Comment:

The site is located in an undeveloped area, and the Geological Map of California does not reveal the presence of, or potential for, unique geological features. There would be no impact to unique geologic features.

Paleontological resources include fossil remains, as well as fossil localities and rock or soil formations that have produced fossil material. No surveys for paleontological resources have been conducted for the site, and the site is currently undeveloped. An examination of the Geological Map of California indicates that the geological area, which contains the project site, is comprised of marine deposits ranging in age from the Pleistocene to Holocene. Development of the site would encounter previously undisturbed soils, especially in the western portion of the site where the grave vaults would be excavated. The depths of excavation are not anticipated to reach a horizon of deeper alluvial soils or bedrock where fossils are more likely to be found. Reference Mitigation Measures **GEO-1 through GEO-4** below. These Mitigation Measures reduce the impact of construction activities on unknown paleontological resources to a less than significant level by addressing discovery of unanticipated buried resources.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation Measure **GEO-1: Conduct Paleontological Sensitivity Training for Construction**

**Personnel.** The Applicant shall retain a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, shall conduct a Paleontological Sensitivity Training for construction personnel prior to commencement of excavation activities. The training will include a handout and will focus on how to identify paleontological resources that may be encountered during earthmoving activities, and the procedures to be followed in such an event; the duties of paleontological monitors; notification and other procedures to follow upon discovery of resources; and the general steps a qualified professional paleontologist would follow in conducting a salvage investigation if one is necessary.

Mitigation Monitoring **GEO-1:** . The County shall require the applicant to submit a statement and sign in sheet after the training that all construction personnel attended the Paleontological Sensitivity Training.

Mitigation Measure **GEO-2: Conduct Periodic Paleontological Resources Spot Check during Grading and Earth-moving Activities..**

If the qualified paleontologist determines that construction excavations have extended into sensitive resource area(s), construction monitoring for Paleontological Resources shall be required. The Applicant shall retain a qualified paleontological monitor, who will work under the guidance and direction of a professional paleontologist and who meets the qualifications set forth by the Society of Vertebrate Paleontology. The paleontological monitor shall be present during all construction excavations (e.g., grading, trenching, or clearing/grubbing) into the sensitive resource area(s). Multiple earth-moving construction activities may require multiple paleontological monitors. The frequency of monitoring shall be based on the rate of excavation and grading activities, proximity to known paleontological resources and/or unique geological features, the materials being excavated (native versus artificial fill soils), and the depth of excavation, and if found, the abundance and type of paleontological resources and/or unique geological features encountered. Full-time monitoring can be reduced to part-time inspections if determined adequate by the qualified professional paleontologist.

Mitigation Monitoring **GEO-2:** The applicant's paleontological consultant shall be required to submit proof that the initial and periodic spot checks have occurred and all steps have been followed in the event of discovery of a resource..

Mitigation Measure **GEO-3: Cease Ground-Disturbing Activities and Implement Treatment Plan if Paleontological Resources Are Encountered.**

In the event that paleontological resources and or unique geological features are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the vicinity of

the find so that the find can be evaluated. A buffer area of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until appropriate paleontological treatment plan has been approved by the Applicant and the County of Sonoma staff. Work shall be allowed to continue outside of the buffer area. The Applicant and County of Sonoma staff shall coordinate with a professional paleontologist who meets the qualifications set forth by the Society of Vertebrate Paleontology to develop an appropriate treatment plan for the resources. Treatment may include implementation of paleontological salvage excavations to remove the resource along with subsequent laboratory processing and analysis or preservation in place. At the paleontologist's discretion and to reduce construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.

Mitigation Monitoring GEO-3: In the event that paleontological resources are encountered, work shall be ceased, buffer areas maintained, and qualified professional archaeologist shall follow evaluation and notification protocols, in coordination with the tribes and lead agency, prior to resuming work. The applicant's paleontological consultant shall be required to submit proof that the rock samples have been removed from the site for processing.

Mitigation Measure GEO-4: Prepare Report Upon Completion of Monitoring Services. Upon completion of the above activities, the professional paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted to the Applicant, the County of Sonoma staff, the University of California Museum of Paleontology (UCMP) and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.

Mitigation Monitoring GEO-4: Prior to issuance of building permits or the use permit certificate (occupancy), the paleontologist shall submit a completion of monitoring services report to the applicant, the County of Sonoma staff, the University of California Museum of Paleontology (UCMP) and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project.

## **8. GREENHOUSE GAS EMISSIONS**

**Would the project:**

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Comment:

Global greenhouse gas emissions contribute to climate change; individual projects do not generate enough GHG emissions to influence global climate change. Thus, the analysis of GHG emissions is by nature a cumulative analysis focused on whether an individual project's contribution to global climate change is cumulatively considerable.

The California Air Resources Board (CARB) is the lead agency for implementing Assembly Bill (AB) 32, the California Global Warming Solutions Act adopted by the Legislature in 2006. AB 32 requires the CARB to prepare a Scoping Plan containing the main strategies that would be used to achieve the State's GHG emissions reductions targets, which in general are:

- Reduce statewide GHG emissions to 1990 levels by 2020;
- Reduce GHG emissions to 40 percent below 1990 levels by 2030; and
- Reduce GHG emissions to 80 percent below 1990 levels by 2050

CARB prepares an annual Statewide GHG emissions inventory using Regional, State, and Federal data sources, including facility-specific emissions reports prepared pursuant to the State's Mandatory GHG Reporting Program. The Statewide GHG emissions inventory helps CARB track progress towards meeting the State's AB 32 GHG emissions target of 431 million metric tons of Carbon Dioxide (CO<sub>2</sub>) equivalents (MTCO<sub>2</sub>e), as well as to establish and understand trends in GHG emissions. According to CARB's most recent GHG emissions inventory (2017 edition), GHG emissions have generally decreased over the last decade, with 2015 levels (440 million MTCO<sub>2</sub>e) approximately 10 percent less than 2004 levels (488 million MTCO<sub>2</sub>e). The transportation sector (165 million MTCO<sub>2</sub>e) accounted for more than one-third (approximately 37.5 percent) of the State's total GHG emissions inventory (440 million MTCO<sub>2</sub>e) in 2015, while electric power generation accounted for approximately one-fifth (19 percent) of the State's total GHG emissions inventory.

The County concurs with and utilizes as County thresholds the BAAQMD recommended GHG significance thresholds. The County also concurs that these thresholds are supported by substantial evidence for the reasons stated by BAAQMD staff. For projects other than stationary sources, the GHG significance threshold is 1,100 MTCO<sub>2</sub>e or 4.6 metric tons of CO<sub>2</sub>e per service population (residents and employees) per year.<sup>32</sup>

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<sup>32</sup> BAAQMD has not adopted a threshold of significance for construction related GHG emissions. The BAAQMD's CEQA Air Quality Guidelines do, however, encourage lead agencies to quantify and disclose construction-related GHG emissions, determine the significance of these emissions, and incorporate best management practices to reduce construction-related GHG emissions

The proposed project would generate GHG emissions from the same sources described in Section 3, Air Quality, as well as from the following additional sources that are specific to GHG emissions:

- Energy use and consumption includes GHG emissions generated from purchased electricity and natural gas.
- Solid waste disposal includes GHG emissions generated from the transport and disposal of landfilled waste.
- Water/wastewater includes emissions from electricity used to supply water to land uses, and treat the resulting wastewater generated.

As summarized above, the transportation sector accounts for more than one-third of GHG emissions in the State and is typically one of the largest GHG emissions sources associated with a development project; however, as described in Section 3, Air Quality, the proposed project would not generate a large amount of vehicle trips that would generate significant emissions. The electric power sector accounts for approximately one-fifth of GHG emissions in the State.

As discussed in Section 3, Air Quality, the BAAQMD's *CEQA Air Quality Guidelines* contain screening criteria to provide lead agencies with a conservative indication of whether a proposed project could result in potentially significant GHG impact. Consistent with the BAAQMD's guidance, if a project meets all the screening criteria, then the project would result in a less than significant GHG impact and a detailed GHG assessment is not required for the project. The operation of the proposed project would be consistent with all BAAQMD *CEQA Air Quality Guidelines* screening criteria and would, therefore, not generate direct or indirect GHG emissions that may have a significant effect on the environment.

As shown in the Project Consistency with BAAQMD Construction and Operational Screening Criteria table in Chapter 3, Air Quality, the proposed project would be consistent with BAAQMD operational screening criteria and would therefore result in less than significant GHG emissions for operations. The BAAQMD does not maintain GHG screening criteria for construction emissions; however, construction GHG emissions are usually amortized over the lifetime of a project (assumed to be 30 years) and included in a project's estimate of annual operational GHG emissions. As discussed in Section 3, Air Quality, BAAQMD-recommended basic construction measures are incorporated into the project as conditions of approval via **Mitigation Measure AIR-1**, which would reduce fuel combustion and GHG emissions by requiring equipment to be properly maintained and limiting idling emissions. GHG emissions associated with construction activities would not be substantial and would not change the significance conclusion pertaining to GHG emissions.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation Measure: See **AIR-1**

**b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

Comment:

The proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of Greenhouse Gases (GHG). The County currently does not have an applicable countywide Climate Action Plan but has adopted a Climate Change Action Resolution in May 2018 to support reducing GHG emissions. The resolution establishes goals to establish a consistent framework throughout the County.

As described in Section 8.a above, the proposed project would be consistent with the BAAQMD's *Clean Air Plan*, is required to reduce GHG emissions from energy consumption, and therefore, would not generate GHG emissions that conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

Significance Level: Less than Significant Impact

## **9. HAZARDS AND HAZARDOUS MATERIALS**

**Would the project:**

**a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

Comment:

Construction of the project and ongoing maintenance and operations may involve the intermittent transport, use and disposal of potentially hazardous materials, including fuels and lubricants, paints, solvents, and other materials commonly used in construction and maintenance. During construction activities, any on-site hazardous materials that may be used, stored, or transported would be required to follow standard protocols (as determined by the U.S. EPA, California Department of Health and Safety, and Sonoma County) for maintaining health and safety. Additionally, daily operations of the proposal do not include the process of embalming.

Proper use of materials in accordance with local, state, and federal requirements, and as required in the construction documents, would minimize the potential for accidental releases or emissions from hazardous materials. In addition, standard County procedure requires project construction contracts to comply with Sonoma County Fire Code regulations for storage of flammable liquids and Sonoma County Code regulations related to

hazardous materials management (protection of surface waters pursuant to Caltrans Standard Specifications, or functional equivalent). Project construction contracts would also be required to specify procedures in the event of a spill of hazardous materials (i.e., Contractor responsible for immediately calling emergency number 911 to report spill, taking appropriate actions to contain spill to prevent further migration of hazardous materials, contacting County to verify appropriate clean-up procedures). Because project use, storage, transport, or disposal would be subject to applicable local, State, and federal regulations, and these Federal, State and Local Regulation (including existing General Plan policies) specify standards and protocols for safe transport, use, and disposal of hazardous materials, the potential threat to public health and safety or the environment from hazardous materials would be less than significant.

Significance Level: Less Than Significant Impact

- 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?**

Comment:

As discussed in Section 9.a, the proposed project would not include major construction-related hazardous materials. The project does not propose to use nor transport hazardous materials.

Significance Level: Less Than Significant Impact

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

Comment:

The nearest school is Bellevue Elementary School located at 3223 Primrose Ave, which is within one-quarter mile of the project site. No hazardous materials are proposed during construction nor handled onsite during operation. No emissions or waste would be disposed of within a quarter mile of the existing school.

Significance Level: Less than Significant Impact

- 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?**

Comment:



There are no known hazardous material sites within or adjacent to the project limits, based on review of the following databases on March 18, 2020.

1. The State Water Resources Control Board Geotracker database,<sup>33</sup>
2. The Department of Toxic Substances Control EnviroStor database,<sup>34</sup> and
3. The California Integrated Waste Management Board Solid Waste Information System (SWIS).<sup>35</sup>

Significance Level: No Impact

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

Comment:

The site is not located within an airport land use plan or within two miles of a public airport or public use airport.

Significance Level: No Impact

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Comment:

The project would not impair implementation of, or physically interfere with, the County's adopted emergency operations plan. There is no separate emergency evacuation plan for the County. The project would not result in a significant change in existing circulation patterns and would have no effect on emergency response routes. Additionally, the applicant would be required to submit a written *Fire Safety and Evacuation Plan* (pursuant to California Fire Code Sections 403 and 404) for Sonoma County Fire Prevention Division review and approval, prior to approval of a grading permit. This plan would include, but not be limited to, fire safety, medical emergencies, and evacuations, and would also describe provisions for fire watch and medical personnel. The plan would be subject to re-evaluation by Sonoma County Fire Prevention Division at any time, when requested in writing by the

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<sup>33</sup> State Water Resources Control Board. "Geotracker Database," accessed March 18, 2020.  
<http://geotracker.waterboards.ca.gov/>

<sup>34</sup> The Department of Toxic Substances Control. "EnviroStor Database," accessed March 18, 2020.  
<http://www.envirostor.dtsc.ca.gov/public/>

<sup>35</sup> Cal Recycle. "Waste Information System (SWIS) Facility/Site Search," accessed March 18, 2020.  
<https://www2.calrecycle.ca.gov/swfacilities/Directory/>

fire code official. Based on this uniformly applied regulatory process, the project would have a less-than-significant impact.

Significance Level: Less Than Significant Impact

**g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

Comment:

According to the Wildland Fire Hazard Areas mapping (Figure PS-1g) of the Sonoma County General Plan 2020, the project is located within a Local Responsibility Area (LRA).<sup>36</sup> The County's project GIS tool indicates that the site is classified as Non-Wildland/Non-Urban area.<sup>37</sup> All properties adjacent to the site are either Non-Wildland/Non-Urban or Urban Unzoned FHSZ designated.

The project site is in an area of limited vegetative cover and no topographic features to channel wildfire. In addition, construction on the project site would be required to comply with Sonoma County Fire Safety Ordinance (Sonoma County Code Chapter 13). The project would also be required to conform to State Building Code requirements (Chapter 7A), including use of ignition-resistant construction methods and materials, minimum fire-resistance construction standards, and minimum fire separation distances. Also, pursuant to state Public Resource Code 4442, during construction and operation, internal combustion engines must be equipped with an operational spark arrester, or the engine must be equipped for the prevention of fire. Project compliance with the County and State requirements would reduce wildland fire risks on people and structures to a less-than-significant level.

Significance Level: Less than Significant Impact

## **10. HYDROLOGY AND WATER QUALITY**

**Would the project:**

**a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?**

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<sup>36</sup> Sonoma County. General Plan 2020, Public Safety Element, Wildland Fire Hazard Areas, Figure PS-1g, <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Wildland-Fire-Hazard-Areas/>, accessed March 6, 2020.

<sup>37</sup> Sonoma County. Permit Sonoma GIS. "Cannabis Site Evaluation," Accessed March 6, 2020. <http://sonomamap.maps.arcgis.com/apps/webappviewer/index.html?id=0b784d90045941798d780f288b6f7003>

Comment:

The project proposes construction of two new buildings, columbarium, gravel access road, monument plaza, an impervious parking area, landscaping, and burial sites containing waterproofed concrete caskets. The project's ongoing operations would involve periodic excavations for burials. The site is relatively flat with elevations across the property ranging from approximately 95 to 100 feet above mean sea level (MSL). The project site is entirely within the Upper Laguna de Santa Rosa watershed which is within the greater Russian River watershed. Per a Preliminary Wetland Determination<sup>38</sup> that was prepared for the project by WRA Environmental Consultants dated May 2014, the project site contains no blue-line streams and is within a micro-watershed with flows originating offsite from north to south and onward into the offsite Colgan Creek.

The Preliminary Wetland Delineation report covered 23.47 acres over three parcels including the project parcel (APN: 134-082-046, 134-082-055, 134-082-054) and concluded that the study area contains approximately 3.33 acres of wetland areas; Figure 9 displays the areas on the project site where wetlands were determined present as well as wetland types. Three types of wetlands were delineated within the study area including seasonal wetland depressions (0.31-acre), seasonal wetland swales (1.96-acres), and vernal pools (1.06-acres). The study also concluded that these wetlands are connected to navigable waters (Laguna de Santa Rosa and Russian River) and therefore meet the definition of "Waters of the United States" under Section 404 of the Clean Water Act.

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<sup>38</sup> WRA Environmental Consultants, May 2014. Preliminary Jurisdictional Determination Saints Peter and Paul Russian Orthodox Church Santa Rosa, Sonoma County, California.



*Figure 9. Wetland Delineation.*  
(Source: WRA)

**Construction:** Project construction activities include the infill of 0.48-acre of wetland area with onsite soils. Other construction involving wetlands includes the culverting of a seasonal wetland on the eastern portion (Phase III) of the project. The application proposes net zero cut and fill. Phase I involves 350 cubic yards of earth material to be cut and hauled offsite and 350 cubic yards of fill material; Phase II involves cutting 400 cubic yards of earth material to fill wetland areas; and Phase III involves cutting 150 cubic yards of earth material to be hauled offsite and 150 cubic yards of fill material. Project construction activities involving wetland disturbance or nearby construction (infill and culverting) would be performed under permit with the United States Army of Engineers (USACE), the North Coast Regional Water Quality Control Board (NCRWQCB), and Fish and Wildlife. Besides procuring all necessary permits with local, state, and federal agencies, the applicant must also implement project specific measures as identified by the Permit Sonoma Grading and Stormwater Section. Prior to beginning construction within 25 feet of a wetland, the applicant must submit evidence to the Grading and Stormwater Section that all applicable permits or waivers have been obtained and that a protective construction fence would be installed to prevent land disturbance adjacent to any wetland.

Stormwater Runoff / Grading and Drainage: Per the Stormwater Mitigation Worksheet<sup>39</sup> completed by the applicant, in total the project would create 7,530 square-feet (0.17-acre) of new or reconstructed impervious surface. Of this total, 1,920 square feet would be attributed to the development of two new storage and refrigeration buildings and 5,610 square feet would be attributed to the construction of the new impervious asphalt parking area. The majority of the site would be maintained as pervious surface for burial grounds and landscaping. Construction and operation of the project could affect the quantity and/or quality of storm water run-off by introduction of pollutants such as oil, grease, and toxic chemicals from urban runoff, or sediment from construction sites, to nearby water bodies and wetlands, and could also affect underground sources of drinking water.

Because the proposed project creates more than 5,000 square feet of impervious surface area, it must meet the requirements of the Sonoma County Stormwater Quality Ordinance (Sonoma County Code Chapter 11a) and incorporate Low Impact Development (LID) Best Management Practices (BMPs) contained in the Bay Area Storm Water Management Agencies Association (BASMAA) Design Guidance for Stormwater Treatment and Control for Projects in Marin, Sonoma, Napa, and Solano Counties.

The project site is located within the North Coast Regional Water Quality Control Board (NCRWQCB) Region 1 Boundary and therefore subject to NCRWQCB Municipal Separate Storm Sewer Systems (MS4) Permit, and be required to meet Sonoma County Storm Water Quality Ordinance requirements (Chapter 11a, Storm Water Quality Ordinance, of the Sonoma County Code) and Low Impact Development (LID) requirements. Because the project would not drain to County storm sewer system MS4 infrastructure and would add or replace less than 10,000 square feet of impervious surface, it is exempt from full LID regulations. Rather, the project would be subject to the Sonoma County Grading Ordinance (Sonoma County Code Chapter 11) The project's ongoing operations of excavating for burials would not require a construction grading permit; however, the excavation activity would be subject to the standards contained in the County Grading Ordinance and to the County's BMPs for grading and drainage.

Compliance with the Grading Ordinance requires incorporating post-construction stormwater LID BMPs into the drainage design of the project to mitigate impacts to the quality and quantity of stormwater discharges from the project site. As a condition of project approval, the applicant would be required to submit a final Storm Water Low Impact Development Submittal (SWLIDS) for County review and approval. The conditions of approval require that the BMPs identified in the final SWLIDS be installed and working properly prior to issuance of grading or building permits. The County would also require as

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<sup>39</sup> Michael Swicegood, July 19, 2018. Standard Urban Storm Water Mitigation Plan Questionnaire NPD-004 (UPE18-0054).

a condition of approval that prior to the issuance of grading permits, the applicant to submit a drainage report that includes hydrologic calculations, hydraulic calculations, and pre- and post-development analysis for all relevant existing, and proposed drainage facilities.

Subsurface Water Quality: The project site is located in the Upper Laguna de Santa Rosa sub-watershed of the Mark West watershed, which is part of the larger Russian River Hydrologic Unit. The project site is approximately 840 feet east of Colgan Creek, whose headwaters are in the Taylor Mountain Regional Park and Open Space Preserve to the east of the project site. Colgan Creek runs through Santa Rosa, where the creek is channelized with concrete embankments, and continues past the project site to its confluence with the Laguna de Santa Rosa, which is tributary to the Russian River. The Russian River is listed by State Water Resources Control Board (SWRCB) and North Coast Regional Water Quality Control Board (NCRWQCB) as impaired for sediment, bacteria, dissolved oxygen, and temperature under Section 303(d) of the Clean Water Act. Tributaries to the Laguna de Santa Rosa are also listed as impaired under section 303(d), and several Total Maximum Daily Load (TMDL) projects are underway to clean up 303(d) listed waterbodies.

The project involves the interment of approximately 4,125 tombs over a three phase, 86-year, period. Standard burial depth of the tombs would be six feet deep and on average 400 tombs would be interred per acre. The typical timeline for grave excavation, burial ceremony, backfill and erosion control is reported by the applicant to be less than 24 hours. The cemetery anticipates an average of four interments per month. Post burial erosion control practices include applying seed and straw on the disturbed earth. During wet weather periods, the cemetery proposes to have temporary storage for the deceased in the instance that weather conditions do not allow for burial due to elevated groundwater conditions or saturated soils.

In a project review letter<sup>40</sup> from Permit Sonoma Health Specialist to the applicant, the project site is reported to have, *“Expansive soils, wet weather groundwater testing in 1978-1979 observed groundwater at 1-2 feet below ground surface. February 19, 2015 (the fifth drought year in CA) wet weather testing results recorded 46.5 inches to 58 inches to groundwater.”* The Health Specialist also states that cemeteries are considered a unique type of landfill that requires specific siting and design to protect against groundwater contamination. In response to concerns over subsurface water contamination, the applicant has proposed to use waterproof concrete vaults. The proposed vaults are engineered to protect groundwater from possible contaminants through lined and sealed units to support the weight of the earth as well as possible equipment passing over. The burial vault product data indicates that the units are steel reinforced and sealed with a butyl compound to resist pressure and temperature changes. The project’s waterproof vaults are

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<sup>40</sup> Becky VerMeer, September 21, 2019. Draft Health Conditions – Use Permit (UPE18-0054).

reported to be warrantied with a minimum 70-year protection<sup>41</sup>. The applicant states that bodies of those interred are anticipated to fully decompose prior to the 70-year warranty period and thus do not pose a threat to subsurface water quality.

The applicant also submitted a supplemental Response to Comments Letter<sup>42</sup> dated September 3, 2020 which was authored by EBA Engineering. This letter was written to respond to comments provided by the project planner regarding potential project impacts related to groundwater quality and displacement from the interment of caskets containing decomposing bodies. Specifically, the project planner requested the applicant provide an evaluation that decomposing bodies could have on groundwater in terms of potential contamination. In response, the letter acknowledges that decomposition of human cadavers during the putrefaction phase can cause viruses, microorganisms, bacteria, and organic/inorganic chemical decomposition products and that these agents could impair water quality if released from the casket. However, based on research EBA conducted with a Coroner from the City of Santa Rosa (Sheriff's Department), it is expected that the bodies would decay faster than the concrete casket they are buried in. Furthermore, it is noted in a 2003 review article<sup>43</sup> conducted by Institute of Soil Science and Land Evaluation, University of Hohenheim, that generally human bodies decompose to entire skeletonization within 15-25 years. The project does not involve embalming of bodies due to Russian Orthodox faith practice. Therefore, decomposition would not be unnaturally inhibited and the contents of caskets would have less potential pollutants. In their letter, EBA concludes that potential water quality impairments would not be expected to leach into adjacent groundwater due to the burial vault specifications which state that the vaults are sealed to 5,000 pounds per square inch. This specification is considered both moisture-tight and air-tight.

A condition of approval has been added to the project providing that, for the life of the project, no remains shall be interred on the project site other than in watertight burial vaults that meet or exceed the specifications described in an applicant response to comments letter dated July 29, 2019 and above. Because of the anticipated waterproofing lifespan of the proposed burial vaults and supplemental information provided by the applicant, pollutant impacts to groundwater due to the interment of tombs is not expected. Potential groundwater and surface water quantity impacts are discussed in Section 10.b.

Significance Level: Less than Significant Impact

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<sup>41</sup> Swicegood Civil Engineering, Inc., July 29, 2019. UPE18-0054 – 3367 Stony Point Road, Santa Rosa, Response to Comment #5 of the Draft Health Conditions.

<sup>42</sup> EBA Engineering, September 3, 2020. Response to Comments Letter Proposed Cemetery Development 3367 Stony Point Road, Santa Rosa, California.

<sup>43</sup> Institute of Soil Science and Land Evaluation, University of Hohenheim, June 26, 2013. Decomposition of buried corpses, with special reference to the formation of adipocere.



**b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

Comment:

The project lies within the Santa Rosa Plain Groundwater Basin and the project site is classed by the County and Water Resource Element of the General Plan as groundwater availability Class 1 (Major Groundwater Basins); the Class 1 designation indicates the area is within a major groundwater basin as compared to other areas, which are designated Class 3 or 4, that have marginal or low groundwater availability. A Hydrogeologic Report<sup>44</sup> (EBA Engineering, May 22, 2019) evaluated groundwater availability for the project based on the property's location within the Santa Rosa Plain, a medium priority groundwater basin as defined by the State Department of Water Resources Bulletin 118.

According to the hydrogeologic report, the project site is located within Santa Rosa Plain Subbasin which has a surface area of 80,000 acres and is drained by Mark West and Santa Rosa Creeks and their respective tributary systems, which collect in the Laguna de Santa Rosa to the west. It is reported that groundwater beneath the site likely also flows east to west towards the Laguna de Santa Rosa and that the nearest prominent surface water feature to the project site is Colgan Creek, approximately 840 feet east of the project site.

The hydrogeologic report evaluated existing and proposed water use within the project recharge area, defined and analyzed the impacts to a groundwater cumulative impact area, reviewed a compilation of well completion reports from the area, characterized local hydrogeologic conditions, estimated annual groundwater recharge and existing proposed groundwater uses, and assessed the potential for well interference between the project well and neighboring wells. A summary of the report's analysis and conclusion is discussed below.

Existing Groundwater Demand Conditions and Projected Groundwater Use: The subject property is served by two groundwater sources, one onsite well and one offsite well. On the project site, a well (WELL-3367) located at the southeastern portion of the project site is used for cattle grazing; it is not used for domestic purposes due to concerns over contamination. The second well (WELL-850) that serves the property is located on the adjacent church property (APN 134-082-054). This well serves the residence on the project site for domestic needs as well as the church and its employees. For the existing cattle grazing operations, it is estimated that 870 gallons per day (GPD), or approximately one-acre feet per year (AF/year), of water is used. If the project is approved, cattle grazing operations would be relocated, and associated groundwater no longer needed for that

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<sup>44</sup> EBA Engineering, May 22, 2019. Hydrogeologic Report of General Plan Policy WR-2E 3367 Stony Point Road, Santa Rosa, California EBA JOB No. 18-2690.

purpose. For existing domestic needs within the hydrogeologic cumulative impact area (covering 12 existing single-family residences and current church operation spanning 16 properties), it is estimated that approximately 11.30 AF/year of water is demanded. The proposed project would not change the current domestic water demands onsite and on the church property.

Per the hydrogeologic report, new water demands associated with the project would include landscaping and use of exterior hoses. The report states that these new uses would require approximately 5,498 GPD, or 6.16 AF/year, in additional groundwater.

Cumulative Impact Area and Groundwater Recharge: The hydrogeologic report delineates a cumulative impact area (CIA) for the project that has a circular radius of 1,000 feet from the project site. The overall size of the CIA is approximately 72 acres and encompasses 16 properties, that vary in size from 0.28 acres to 21 acres, including the subject property. The calculated storage capacity for the CIA was reported at 1,158 acre-feet. Furthermore, the study estimates an annual groundwater recharge rate of 58.6 AF/year within the CIA.

Potential Impacts to Neighboring Wells and Surface Waters: The EBA study states it is unlikely that the increased pumping from the project well would significantly influence any neighboring wells or surface waters. EBA conducted a time-versus-drawdown computer analytical model that indicated no appreciable drawdown effects on nearby properties as a result of additional pumping. This model accounted for average pumping rates, aquifer transmissivity, aquifer storage, and average pumping durations. Regarding surface waters, the nearest prominent surface water is over 800 feet from the eastern boundary of the project site. Given the limited average reported pumping rates of wells near the project site (44 GPM), it is unlikely that additional pumping would affect surface water flow at this location.

Groundwater Availability Analysis and Project Effects to Groundwater Storage: The primary objectives of the hydrogeologic report are to evaluate whether there are adequate existing and future groundwater supplies to accommodate the project, and to estimate the impacts of groundwater drawdown on the delineated CIA.

The study concluded the proposed future development and existing development would amount to 21.46 AF/year covering the entire CIA. This estimate accounts for less than two percent of the available groundwater storage within the CIA and approximately 37 percent of the potential annual groundwater recharge which is reported at 58.6 AF/year.

Permit Sonoma's Geologist peer reviewed the EBA hydrogeologic report and indicated in an August 30, 2019 letter<sup>45</sup> that the analysis and conclusions of the report are adequately

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<sup>45</sup> Robert Pennington, August 30, 2019. Natural Resource Geologist Response – Use Permit (UPE18-0054).

documented and detailed. Subsequently, a letter<sup>46</sup> from the Permit Sonoma Geologist dated February 20, 2020, documented review of updated landscaping plans and noted they are compliant with California Water Efficient Landscape Ordinance (WELO) standards. This letter also prescribed standard groundwater monitoring conditions of approval.

Significance Level: Less than Significant Impact

- c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which**
- i. **would result in substantial erosion or siltation on- or off-site?**
  - ii. **substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;**
  - iii. **create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or**
  - iv. **impede or redirect flood flows?**

Comment:

The project site contains no blue line streams and is not within the 100-year flood zone.<sup>47</sup> The closest stream to the project is Colgan Creek, located approximately 840 feet to the east of the project site. The project has the potential to result in erosion or siltation as the project increases impermeable surfaces that could lead to both increased surface run-off and erosion. However, approximately 99% of the site would be maintained as pervious surface. As discussed above in Section 10.a, the project would be required to incorporate LID requirements and BMPs to reduce erosion caused by construction or operation of the project. Specifically, the project would incorporate 50-foot buffer area between lawns and wetland areas, construct driveway areas so that they are not continuously connected, and new building rooflines would not be connected. These measures would limit the amount of runoff and soil erosion and provide more areas for stormwater relief and would ensure the project would not substantially alter the existing drainage pattern of the site or area.

Additionally, as previously discussed in Section 10.a, the project proposes approximately 900 cubic yards of cut and 900 cubic yards of fill (net total = 0 cubic yards of fill). Because

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<sup>46</sup> Robert Pennington, February 20, 2020. Natural Resource Geologist Response – Use Permit (UPE18-0054).

<sup>47</sup> Sonoma County. General Plan 2020 Public Safety Element. “Flood Hazard Areas Fig. PS-1e,” accessed March 31, 2020. <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Flood-Hazard-Areas/>

the project is located in a Flood Prone Urban Area, designated pursuant to County Ordinance 4467, any fill activity requires a grading permit and drainage analysis per Sonoma County Code § 11.14.020(c)(8). Compliance with the County grading regulations would reduce the soil erosion and sediment delivery impacts from the site, and compliance with County Low Impact Development (LID) BMPs would minimize impervious surfaces where possible. Temporary construction BMPs (including required erosion control measures) would be required to minimize and control siltation during the construction period.

Prior to grading or building permit issuance, construction details for all post-construction storm water BMPs shall be submitted for review and approval by the Grading & Storm Water Section of Permit Sonoma as required in the conditions of approval. The construction plans shall be in substantial conformance with the conceptual plan reviewed at the planning permit stage.

Post-construction storm water BMPs must be installed per approved plans and specifications and working properly prior to finalizing the grading or building permits as required in the conditions of approval. Post-construction storm water BMPs shall be designed and installed pursuant to the adopted Sonoma County Best Management Practice Guide. The BMPs would prevent the alteration of site drainage or increase in surface runoff and avoid flooding. Project Low Impact Development techniques would include limiting impervious surfaces, dispersing development over larger areas, and creation of storm water detainment areas. Post construction storm water BMPs include filtering, settling, or removing pollutants.

As mentioned in Section 10.a, the applicant submitted a Response to Comments letter by EBA Engineering which assesses potential groundwater displacement from the interment of 4,125 concrete caskets. EBA cites burial vault dimensions, burial depths, as well as soil composition and properties to estimate a total net decrease in groundwater storage of 2.4 acre-feet over the 21-acre project site. This net decrease would equate to approximately 1.25 inches over the project site. The EBA letter further explains that soils that would be excavated are primarily composed of clay that is fully saturated with water throughout the year due to its depth (three to six feet deep). During rainy season conditions, when it is assumed that the groundwater table is located at ground surface, the change in overall groundwater storage is not expected to impact the ability for surface water to runoff or infiltrate the ground. EBA makes this conclusion because soils would already be fully saturated during rainy season due to their clay composition which allows for water to be absorbed and retained within the ground.

Because the soil material would be fully saturated when removed, an initial decrease in the amount of water in the system is expected. And, after the concrete caskets are buried, there will no longer be pore space for water to be absorbed. As mentioned, this is expected to decrease overall groundwater storage on site by 1.25 inches. This decrease in overall

groundwater storage is not expected to result in substantial erosion, runoff, flooding, or impede flood flows due the project's existing soil properties (discussed in previous paragraph), burial timeline (which is incremental over 80-100 years), and location - which is outside of FEMA designated flood zones.

Significance Level: Less than Significant Impact

**d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

Comment:

According to Sonoma General Plan Figure PS-1f,<sup>48</sup> the project site is not located in an area that would be subject to flooding as a result of levee or dam failure. The project site is not located in a tsunami or seiche zone. The project is located within a Flood Prone Urban Area (FPUA) as designated by Permit Sonoma. Because of this, any fill placed within this designated area requires grading permit and compliance with Sonoma County Grading Ordinance, as discussed throughout Section 9.a and 9.c.

Significance Level: No Impact

**e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

Comment:

The project is located in the Santa Rosa Plain groundwater basin that is managed by the Santa Rosa Plain Groundwater Sustainability Agency in accordance with the Sustainable Groundwater Management Act. The Groundwater Sustainability Agencies are currently developing Groundwater Sustainability Plans that must be completed in 2022 and will provide a regulatory framework for sustainably managing groundwater use.

Significance Level: No Impact

## **11. LAND USE AND PLANNING**

**Would the project:**

**a) Physically divide an established community?**

Comment:

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<sup>48</sup> Sonoma County. General Plan 2020 Safety Element. "Dam Failure Inundation Hazard Areas, Figure PS-1f," accessed March 31, 2020. <https://sonomacounty.ca.gov/WorkArea/DownloadAsset.aspx?id=2147542633>

The project involves construction of three permanent structures for cemetery operations, including storage and refrigeration buildings and a columbarium, but does not require removal of a primary access route (such as a road or bridge). The project would not impair mobility within an established community or between a community and outlying areas, and therefore would not physically divide a community.

Significance Level: No Impact

**b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

Comment:

The project would not conflict with any applicable land use plan adopted for the purpose of avoiding or mitigating an environmental effect, including the South Santa Rosa Area Plan, Sonoma County General Plan and Sonoma County Zoning Ordinance.

The *South Santa Rosa Area Plan* includes broad goals and policies related to the economic importance (in particular, “*Require compatibility with existing and projected surrounding land uses*”),<sup>49</sup> and visual and natural resource preservation standards that apply to projects in the area. As discussed in Section 1.c, the proposed project includes design features that would generally be consistent with these Santa Rosa Area Plan standards, including the following:

- The project would not be developed on a skyline, nor would any structure be proposed in a visual, scenic, or riparian corridor. The project would not involve tree removal. As discussed in Section 4.c, the project does involve the infill and culverting of preliminarily delineated seasonal wetlands. However, Mitigation Measures **BIO-7 and BIO-8** would reduce potential impacts to wetlands a less than significant level. The project would also result in take of habitat for California Tiger Salamander (CTS), a state and federally listed species. Impacts to CTS would be mitigated to a less than significant level through the implementation of Mitigation Measures **BIO-4 through BIO-6**, as discussed in Section 4.
- The proposed structures would be screened by vegetation along Stony Point Road and Todd Road. The applicant has provided a detailed planting plan.
- The proposed project would be designed to be harmonious with the local setting and with neighboring developments and would be subjected to multiple design reviews (see Section 1, Aesthetics for further discussion).

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<sup>49</sup> Sonoma County, South Santa Rosa Area Plan, p. 17 Accessed March 31, 2020  
<https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Area-and-Specific-Plans/Area-and-Specific-Plans/>

- Cemetery operations associated with the proposed use would be compatible with the neighborhood. The cemetery anticipates holding four to six burial events per month that would host between 5-25 people along with four additional larger gatherings per year with one being an Easter gathering which would accommodate 150 people. The frequency and size of gatherings would be similar to those of the neighboring church use.
- As discussed in Section 10, there would be noise generated from larger gatherings, of which there would be four a year. There are three rural residencies within 300 feet of the subject property, all to the south. The closest of those residences is 45' from the property line. This potential impact would be mitigated to a less than significant level through Mitigation Measure NOISE-2 that requires the applicant to locate large gravesite services at burial sites within the central portion of the cemetery burial area to avoid adjacent noise sensitive land uses (residents). If there are conflicts that cannot be resolved through site planning or scheduling, the operator should consider the use of temporary noise barriers to screen adjacent residences from large gravesite services located near shared property lines. Furthermore, this mitigation measure requires a 24-hour notice of 3-rifle salutes shall be given to all neighboring residences with 600 feet of the service.
- Lighting would be consistent with the South Santa Rosa Area Plan through conditions of approval of the project.
- The proposed project would not have a negative impact on agriculture lands. (See Section 2, Agricultural and Forest Resources for further discussion).
- Parking is not proposed on public streets and would be limited to 27 parking spaces and screened from public view by existing and proposed structures and existing vegetation. Overflow parking would be provided along the cemetery access roads and adjacent church parking lot.
- Minimum setbacks would be consistent with the South Santa Rosa Area Plan (General Standards pg. 52): *“Front: Minimum of 20 feet from property line, Side: minimum of 10 feet from the property line adjacent to residential development, Rear: Minimum of 20 feet from the property line adjacent to residential development.”*

The proposed project would also be consistent with the goals, policies, and objectives in the *Sonoma County General Plan 2020* related to avoiding or mitigating an environmental effect, including:



- Preservation of biotic resource areas and scenic features (General Plan Goal LU-10, Objective LU-10.1, Goal-OSRC, Objective OSRC01.2, Objective OSRC-1.4, Policy OSRC-1f). The project would be consistent with regulations pertaining to avoiding significant impacts to biotic resources and would be largely consistent with regulations designed to maintain the scenic qualities of the area. (See Sections 1 and 4, Aesthetics and Biological Resources, for further discussion.)
- Night time lights and preservation of night time skies and visual character (General Plan Goal OSRC-4, Objective OSRC-4.1, Objective OSRC-4.2, Policy OSRC-4a, Policy OSRC-4c): The project would be conditioned to use dark sky compliant lighting, and would comply with County requirements pertaining to placement, shielding, and light levels to prevent spill over, glare and unnecessary nighttime light pollution.
- Wastewater (General Plan Policy LU-8): The project would comply with regional waste discharge requirements and County regulations to minimize storm water, surface water and groundwater pollution including utilization of BMPs.

The project would also be consistent with the project site's base zoning, AR Agriculture and Residential District, in that the proposed use is allowed in the zoning district through the issuance of a Use Permit, as described in Section 26-16-020 of the Code. In addition, the project would meet the allowable residential and development criteria (lot size, building height, lot width, lot coverage, setback and parking requirements) as outlined in Section 26-16-030 of the Code. The project would also be consistent with Zoning Code Article 67 (VOH Valley Oak Habitat Combining District) to *"protect and enhance valley oaks and valley oak woodlands"* (see Section 4, Biological Resources).

Therefore, the project would not conflict with any applicable land use plan adopted for the purpose of avoiding or mitigating an environmental effect, including in the Sonoma County General Plan and zoning ordinance.

Significance Level: No Impact

## 12. MINERAL RESOURCES

Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Comment:

Sonoma County has adopted the Aggregate Resources Management Plan that identifies aggregate resources of statewide or regional significance (areas classified as MRZ-2 by the State Geologist). The project site is not located within a known mineral resource deposit area.<sup>50</sup>

The project site does not contain any active mines or known mineral resources that would require preservation and/or be impacted by the project.

Significance Level: No Impact

**b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

Comment:

The project site is not located within an area of locally-important mineral resource recovery site and the site is not zoned MR (Mineral Resources).<sup>51</sup> No locally-important mineral resources are known to occur at the site.

Significance Level: No Impact

### 13. NOISE

Would the project result in:

**a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Comment:

To assess project noise, an environmental noise assessment was prepared by Illingworth and Rodkin<sup>52</sup> that surveyed the project site and evaluated potential noise impacts from the proposed project based on applicable County standards and considering adjacent noise sensitive land uses (residences). The following analysis summarizes the key results, findings, and recommendations of the applicant's noise assessment, which includes a description of key noise concepts, terms, applicable regulations, and detailed site noise information.

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<sup>50</sup> Sonoma County. Aggregate Resources Management Plan, accessed March 23, 2020.

<https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Aggregate-Resource-Management/Maps-and-Diagrams/>

<sup>51</sup> Sonoma County. Aggregate Resources Management Plan, accessed March 23, 2020.

<https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Aggregate-Resource-Management/Maps-and-Diagrams/>

<sup>52</sup> Illingworth & Rodkin, Inc. 2019. "Saints Peter and Paul Russian Orthodox Churchyard Cemetery Environmental Noise and Vibration Assessment," prepared February 28, 2019.

County noise standards (as indicated in Table NE-2 of the General Plan, shown below) establish maximum allowable exterior noise exposures of 50 dBA in the daytime (7:00 AM to 10:00 PM) and 45 dBA in the nighttime (10:00 PM to 7:00 AM), as measured using the L50 value (the value exceeded 50 percent of the time, or 30 minutes in any hour--i.e., this is the median noise level).

*Existing Noise Environment:* The noise assessment measured noise levels at three locations between Friday, January 25, 2019 and Wednesday, January 30, 2019. The first site was located at the eastern portion of the site, about 100 feet from the center of Stony Point Road. The primary noise source at this site was vehicular traffic traveling along Stony Point Road. Existing ambient day-night average noise levels at the first site ranged from 64 to 65 dBA  $L_{dn}$ . The second and third sites were located at the western property line and in the center of the site, respectively. The primary noise sources at these locations were distant aircraft and traffic and local natural and agricultural sounds, including tractors, geese, and roosters. The average noise level at the second site, measured between 1:08 pm and 1:18 pm, was 47 dBA  $L_{eq}$ . The average noise level measured at the third site between 1:37 pm and 1:47 pm was 48 dBA  $L_{eq}$ .

*General Plan Land Use Compatibility:* The County does not have noise and land use compatibility guidelines specific to cemeteries. The County limits exterior noise to 60 dBA  $L_{dn}$  or less in outdoor activity areas. Where it is not possible to meet this 60 dBA  $L_{dn}$  standard using practical application of best available noise reduction technology, a maximum level up to 65 dBA  $L_{dn}$  may be allowed.

Based on the site plan, the closest burial areas would be located 130 feet from Stony Point Road. At this distance, existing noise levels would be 63 dBA  $L_{dn}$  (see *Existing Noise Environment* discussion). Traffic noise levels are anticipated to increase by about 2 dBA, to 65 dBA  $L_{dn}$ , by 2040. Burial sites located throughout the proposed site would be anticipated to meet the conditional 65 dBA  $L_{dn}$  guideline. Burial sites located 280 feet and further from the center of Stony Point Road would also be anticipated to meet the 60 dBA  $L_{dn}$  guideline under future traffic conditions.

**Sonoma County General Plan Table NE- 2 Maximum Allowable Exterior Noise Exposures for Nontransportation Noise Sources**

Hourly Noise Metric <sup>1</sup> , dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes 48 seconds in any hour)	60	55

L02 (72 seconds in any hour)	65	60
<sup>1</sup> The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level.		

*Operation Noise Generation:* Cemetery hours of operation would be 9:00 am to 5:00 pm Monday through Sunday. Once operational, the proposed project would generate noise from additional vehicle trips, parking lot activities, mechanical equipment, and events. The potential impacts from these new sources are summarized below.

- **Additional vehicle trips on the roadway network:** A significant permanent traffic noise increase would occur if the project increased noise levels at a sensitive receptor increase by 3 dBA  $L_{dn}$  or greater within the range of 60 to 65 dBA  $L_{dn}$ . The proposed project would generate five to 10 vehicles for smaller events and generate a maximum of 40 vehicles for larger events. Stony Point Road has an existing peak hour traffic volume of 1,655 vehicles. The addition of 40 vehicles onto this roadway would result in a noise increase of less than 0.5 dBA  $L_{eq}$ .<sup>53</sup> Noise increases occurring during regular project operations would be minimal. When averaged on a 24-hour basis to calculate  $L_{dn}$ , noise increases would be even lower. This increase would be considered a less-than-significant impact.
- **Parking lot activities:** The project proposes 27 parking spaces with overflow parking for the large gatherings provided in the existing church parking lot. Additional overflow parking would be available along the internal cemetery roads. Vehicle circulation, engine starts, and door slams would be the primary noise sources. Noise generated by parking activities would be similar to existing noises generated in the church parking lot, indistinguishable from traffic noise along Stony Point Road, and below the NE-2 Table thresholds at the nearest residences. This is a less-than-significant impact.
- **Mechanical equipment:** Refrigeration equipment would provide cold storage in the refrigeration building for up to eight bodies when weather conditions do not allow for immediate interment in the cemetery. A backup generator is proposed to serve the refrigeration building in case of power outages. The chillers and generator would be located east or south of the refrigeration building and screened to the north, east, and south. The chillers would likely be operational 24-hours per day. The generator would be tested monthly for a period of 15-minutes or less during daytime hours and would be anticipated to generate levels similar to or below those produced by the chillers.

Information regarding the type and size of the chiller unit to be used in the project has yet been determined by the applicant, but typically ranges from 55 to 65 dBA  $L_{eq}$  at a distance of 50 feet. The noise study indicated that mechanical equipment is calculated

<sup>53</sup> Illingworth & Rodkin, Inc. 2019. "Saints Peter and Paul Russian Orthodox Churchyard Cemetery Environmental Noise and Vibration Assessment," prepared February 28, 2019.

to generate noise levels of 37 to 49 dBA  $L_{eq}$  at residences surrounding the site. Shielding from the proposed storage and refrigeration buildings and the existing on-site residence, shed, and workshop would result in additional noise reduction of 5 to 15 dBA in shielded areas. Use of noise screening would further reduce noise levels. Mechanical equipment noise is not anticipated to exceed daytime  $L_{50}$  noise thresholds at the closest residences, but could exceed the nighttime noise threshold,<sup>54</sup> and is considered a potentially significant impact. See **Mitigation Measure NOISE-1**.

- Event noise: The applicant proposes four to six services per month, with expected attendance ranging from five to 25 people. These services would typically last less than an hour with attendees onsite for no more than two hours. No amplified sound is proposed as part of these services, though some may include an a cappella choir. Normal conversation typically generates noise levels of 60 to 65 dBA at a distance of 3 feet. Noise generated during regular services without music would be well below ambient noise levels at all receptors. The sounds from a small choir would be anticipated to be about 57 dBA at a distance of 50 feet. Four larger gatherings per year are proposed and the largest would accommodate up to 150 attendees, depending on the number of interred. The other three gatherings are reserved for larger grave site services. No amplified sound is proposed.

While the applicant is proposing four to six smaller services per month, not all services include interment. Noise associated with interment of the deceased includes preparation and filling of the gravesite, which is done primarily with a backhoe and takes about 45 to 60 minutes per site. Larger backhoes generate more noise than smaller backhoes. Using a 'worst-case' analysis of 70 dBA  $L_{eq}$  at 50 feet, the project would exceed the County's daytime limits during grave site preparation processes at the northern sensitive receptors during Phase I, at the southern sensitive receptors during Phase II, and at the two southwestern sensitive receptors during Phase III.<sup>55</sup> Noise levels during the substantial majority of services, with or without a choir, are anticipated to meet limits, but some circumstances could exceed limits.

The Easter gathering would be held adjacent to the existing church building, with small groups congregating throughout the site. This Easter event is anticipated to generate noise levels 54 dBA  $L_{50}$  at the residence across the street from the Church, and 49 dBA  $L_{50}$  at residences west of the church on St. Olga Court.<sup>56</sup> Noise related to the largest gathering is less-than-significant.

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<sup>54</sup> Illingworth & Rodkin, Inc. 2019. "Saints Peter and Paul Russian Orthodox Churchyard Cemetery Environmental Noise and Vibration Assessment," prepared February 28, 2019.

<sup>58</sup> Illingworth & Rodkin, Inc. 2019. "Saints Peter and Paul Russian Orthodox Churchyard Cemetery Environmental Noise and Vibration Assessment," prepared February 28, 2019.

<sup>58</sup> Illingworth & Rodkin, Inc. 2019. "Saints Peter and Paul Russian Orthodox Churchyard Cemetery Environmental Noise and Vibration Assessment," prepared February 28, 2019.

The other larger services are anticipated to generate similar noise levels, depending on the number of people in attendance, and depending on where the service is located onsite. Because each of these services are held adjacent to the burial site, noise levels are anticipated to exceed the unadjusted 50 dBA  $L_{50}$  limit when located within 350 feet of sensitive land uses, and to exceed the adjusted 55 dBA  $L_{50}$  limits within 200 feet of noise sensitive land uses.<sup>57</sup>

On rare occasions, a military funeral may include a three-rifle salute. Based on noise levels from gunshots analyzed by Illingworth and Rodkin, Inc., gunshots would generate noise levels of about 68 dBA  $L_{max}$  at 400 feet. Gunshots are short lasting and would not affect the  $L_{02}$  or any other parameters in the NE-2 Table and would be a less-than-significant impact. However, due to the unexpected nature of the noise, it is recommended that residences within 600 feet of the service are given prior notice of all rifle salutes, as indicated in the project description.

*Temporary Construction Noise:* Site construction would occur primarily in Phase I and includes demolition of the existing barn and garage shed and construction of a refrigeration building, equipment storage building, and access road. Phase II includes construction of a memorial plaza with religious monument and access road from the plaza to Saint Olga Court. Phase II does not include any infrastructure construction. It is estimated that Phase II infrastructure construction would take place approximately 3 to 5 years after the commencement of Phase I construction. Phase III does not include any additional buildings.

The closest residences are located about 300 feet southeast and 400 feet northeast of Phase I construction. Phase II construction would be located as close as 120 feet from a residence to the south. Construction noise levels would be anticipated to range from 67 to 77 dBA  $L_{eq}$  at 120 feet, 59 to 69 dBA  $L_{eq}$  at 300 feet, and 57 to 67 dBA  $L_{eq}$  at 400 feet during heavy construction. Construction noise levels would be anticipated to decrease at a rate of about 6 dBA per doubling of distance as construction moves away from shared property lines.<sup>58</sup> Construction would occur within the allowable hours of 8:00 a.m. and 5:00 p.m. To reduce construction noise levels associated with project development, the noise assessment recommends six BMPs to incorporate into the project as **Mitigation Measure NOISE-2** which would reduce project construction noise levels to less than significant.

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<sup>58</sup> Illingworth & Rodkin, Inc. 2019. "Saints Peter and Paul Russian Orthodox Churchyard Cemetery Environmental Noise and Vibration Assessment," prepared February 28, 2019.

<sup>58</sup> Illingworth & Rodkin, Inc. 2019. "Saints Peter and Paul Russian Orthodox Churchyard Cemetery Environmental Noise and Vibration Assessment," prepared February 28, 2019.

Implementation of Sonoma County General Plan's Standard Noise regulations, in addition to the below mitigation measures would reduce all potentially significant impacts to less than significant levels.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation Measure: **NOISE-1: Reduce Mechanical Equipment Noise to County Limits.** The project shall incorporate the following noise reduction requirements to reduce mechanical equipment noise levels to within County noise limits:

- Prior to the issuance of building permits, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the County's requirements. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers or screens to block the line of sight between the noise source and the nearest receptors.
- Mechanical equipment installed and used in the project shall meet the County's daytime and nighttime criteria of 60 dBA  $L_{eq}$  or less at a distance of 50 feet to.

Mitigation Measure: **NOISE-2: Limit Construction Noise.** The proposed project shall incorporate the following construction noise control best management practices into project construction activities:

- Limit construction to between the hours of 8:00 am to 5:00 pm.
- Limit work to non-motorized equipment on Sundays and holidays.
- Locate construction staging areas away from nearby sensitive receptors.
- Orient stationary noise-generating equipment, such as air compressors or portable power generators, away from nearby sensitive receptors.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. Air compressors and pneumatic equipment shall be equipped with mufflers, and impact tools shall be equipped with shrouds or shields.
- Prohibit all unnecessary idling of internal combustion engines.

Mitigation Monitoring: **NOISE-1 and NOISE-2.** Permit Sonoma staff shall ensure that Mitigation Measures NOISE-1 and NOISE-2 are listed on all necessary site alteration, grading, building and improvement plans, prior to issuance of grading and building permits.

**b) Generation of excessive ground-borne vibration or ground-borne noise levels?**

Comment:

Construction would be located at least 100 feet from off-site structures and pile driving is not proposed during construction. At a distance of 100 feet, groundborne vibration from construction is anticipated to generate levels between 0.001 to 0.046 in/sec PPV, which are below the 0.3 in/sec PPV vibration limit recommended by the California Department of Transportation for buildings that are found to be structurally sound, but where structural damage is a major concern.<sup>59</sup>

Significance Level: Less than Significant Impact

- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

Comment:

The project site is not within the Airport Referral Area,<sup>60</sup> the vicinity of a private airstrip, nor within two miles of a public airport or public use airport. The project would not expose people working in the project area to excessive noise levels.

Significance Level: No Impact

## **14. POPULATION AND HOUSING**

**Would the project:**

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

Comment:

The project does not include housing, and roads and infrastructure would be limited to onsite improvements. The onsite residence is not part of the project and would remain occupied for the duration of project construction and operation. The project would create short-term construction jobs, and it is anticipated that most of these construction workers would live in the region. The facility is being built to meet the religious and community

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<sup>59</sup> Illingworth & Rodkin, Inc. 2019. "Saints Peter and Paul Russian Orthodox Churchyard Cemetery Environmental Noise and Vibration Assessment," prepared February 28, 2019.

<sup>60</sup> Sonoma County. "Sonoma County Airport Referral Area," accessed March 18, 2020.

<https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Comprehensive-Airport-Land-Use/Sonoma-County-Airport/>



assembly needs of existing residents in the region and would not induce substantial unplanned growth.

Significance Level: Less Than Significant Impact

**b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

Comment:

No people or housing would be displaced, and no replacement housing would be necessary.

Significance Level: No Impact

## **15. PUBLIC SERVICES**

**Would the project:**

**a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

**i. Fire protection?**

Comment:

The project is located in a Local Responsibility Area (LRA), in the Sonoma County Fire Protection District, which operates eight stations. The fire station closest to the project is Station 8, about seven minutes driving north of the project site.<sup>61</sup> The project is within an existing service area and would not trigger the need to build a new fire station.

Sonoma County Code requires all new development to meet Fire Safe Standards (Chapter 13). Compliance with these standards would include providing for sprinklers in buildings, alarm systems, extinguishers, vegetation management, hazardous materials management and management of flammable or combustible liquids and gases. As a standard condition of approval, compliance with these County code standards would ensure that impacts would be less than significant.

Significance Level: Less Than Significant Impact

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<sup>61</sup> Sonoma County Fire District, 2020 accessed March 20, 2020 <https://www.sonomacountyfd.org/our-partnership>

## **ii. Police?**

### Comment:

The project is served by the Sonoma County Sheriff Department and is in Sonoma County Sheriff's Office Zone 3.<sup>62</sup> The project would generate limited part-time construction jobs but would not include construction of any homes or businesses and would not induce substantial population growth. Any increase in police services resulting from the project would not require new or altered facilities.

Significance Level: Less Than Significant Impact

## **iii. Schools, parks, or other public facilities?**

### Comment:

The project is in the Bellevue Union School District (elementary) and Santa Rosa City Schools (Santa Rosa Elementary School District and Santa Rosa High School District). The project does not include residential development and would not contribute to an increase in the need for expanded or additional schools, parks or other public facilities.

Significance Level: No Impact

## **iv. Parks?**

### Comment:

The project is located in unincorporated Sonoma County. Park services are provided by Sonoma County Regional Parks. The project is near the Colgan Creek Trail, a 1.2-mile linear park, managed by the Regional Park agency and accessed along Stony Point Road north of the intersection with Todd Road. No housing is proposed as part of the project.

The applicant expects to host events on the weekends including four to six gravesite services per month which would typically be attended by five to 25 people and last less than an hour. Four larger gatherings are proposed with the largest accommodating up to 150 attendees. Any increased use of parkland resources would be intermittent and would not result in the need to build new park facilities due to increased demand.

Significance Level: Less than Significant Impact

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<sup>62</sup> Sonoma County Sheriff Department, 2020. Zone Map accessed March 20, 2020.  
<https://data.sonomasheriff.org/files/map/ZoneMap.pdf>

**v. Other public facilities?**

Comment:

The project is in the Sonoma County Library service area and is about three miles south of the Roseland Community Library. Increases in library service demand resulting from the project would be minimal because the project would serve existing residences and is not proposing new residences.

The project would use on-site septic and water services and would not require other public facilities. Expansion or construction of additional types of public facilities is not reasonably foreseeable.

Significance Level: No Impact

## **16. RECREATION**

**Would the project:**

- a) Would the project 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?**

Comment:

The project is located in unincorporated Sonoma County. Park services are provided by Sonoma County Regional Parks. The project is near the Colgan Creek Trail, a 1.2-mile linear park, managed by the Regional Park agency and accessed along Stony Point Road north of the intersection with Todd Road. The project does not propose recreational facilities.

The applicant expects to host events on the weekends including four to six gravesite services per month which would typically be attended by five to 25 people and last less than an hour. Four larger gatherings are proposed to accommodate up to 150 attendees. Portable restroom facilities would be made available during these gatherings. Any increase in demand for recreation facilities would be minimal because most visitors already live in the region and would be expected to use those recreational facilities closer to where they live. Therefore, the increase in use of neighborhood and regional parks would be minimal and would not lead to physical deterioration of the facilities.

Significance Level: Less than Significant Impact

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

Comment:

The project does not include recreational facilities, as stated in Section 16.a above.

Significance Level: No Impact

## 17. TRANSPORTATION

### Would the project:

- a) **Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?**

Comment:

Stony Point Road is a county-maintained paved road with no bicycle facilities. The Sonoma County Bicycle and Pedestrian Plan<sup>63</sup> proposes a new Class II bicycle facility along Stony Point Road passing the subject property. The project does not impede the construction or implementation of this proposed facility because no offsite improvements are proposed, and daily vehicle trips would be minimal. The area is not immediately served by public transit. The closest public transit stop is served by Sonoma County Transit at Santa Rosa Avenue and Todd Road, 2.1 miles from the project site. The project would not conflict with Sonoma County Transit public transportation programs, plans, ordinances, or policies.

Significance Level: Less than Significant Impact

- b) **Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?**

Comment:

Traffic impacts under CEQA have traditionally been assessed based on increases in intersection delay measured by Level of Service (LOS). However, with the passage of SB 743, transportation impacts under CEQA are now to be measured based on the vehicle miles traveled (VMT) generated by a project (effective July 1, 2020). Sonoma County Currently uses the Governor's Office of Planning and Research technical guidance on evaluating VMT impacts under CEQA.

Although the applicant did not submit average daily trip information for review, the project proposes a cemetery use that would not attract frequent visitors. Typically, cemeteries and gravesites are visited by family and friends for remembrance on an infrequent or occasional

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<sup>63</sup> Sonoma County. Bicycle and Pedestrian Plan Map,  
<https://sonomacounty.ca.gov/WorkArea/DownloadAsset.aspx?id=2147549099>, accessed March 24, 2020.

basis. In comparison, residential and/or commercial developments would generate average daily trips at a much higher and predictable rate. Furthermore, the project would not significantly increase daily trips to the site from employees because administrative cemetery operations would be handled by existing church staff. Given the nature of the proposed use and anticipated number of daily and peak hour trips to the site, it can be reasonably concluded that the project's generation of VMT would represent a less than significant impact.

Significance Level: Less than Significant Impact

**c) Substantially increase hazards due to geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

Comment:

The project would not increase hazards because it would not change the existing alignment of the road and does not involve incompatible uses.

Significance Level: No Impact

**d) Result in inadequate emergency access?**

Comment:

Development on the site must comply with all emergency access requirements of the Sonoma County Fire Safety Code (Sonoma County Code Chapter 13), including emergency vehicle access requirements and roadway widths. Project development plans are required to be reviewed by a Fire Prevention and Hazardous Materials Division Fire Inspector during the building permit process to ensure compliance with emergency access issues. Also, see discussion in Section 9, Hazards and Hazardous Materials, which explains that as a matter of state law, the applicant would be required to submit a written *Fire Safety and Evacuation Plan* for Sonoma County Fire Prevention Division review and approval, prior to approval of a grading permit.

Significance Level: Less than Significant Impact

## **18. TRIBAL CULTURAL RESOURCES**

**a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site feature, place, cultural landscape that is geographically defined in terms of the size and scope of**

**the landscape, sacred place, or object with cultural value to a California native American tribe, and that is:**

**i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5030.1(k), or**

**ii) A resource determined by the lead agency. In its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Comment:

Based on a cultural resources records search from the Northwest Information Center (CHRIS-NWIC), an archaeological field survey, and a Native American Sacred Lands File Search through the Native American Heritage Commission, no known Traditional Cultural Resources (TCRs) or unique archaeological resources associated with TCRs have been indicated within the project boundaries.<sup>64</sup> Origer & Associates notified local tribes of local tribes of the project, but no tribes commented. The local tribes were also contacted by Permit Sonoma staff through AB52 project notification and invitations to consult. Most tribes declined the opportunity for formal AB52 consultation.

In August 2018, pursuant to Assembly Bill 52 (AB 52), Permit Sonoma staff notified Native American Tribes within Sonoma County regarding the project application, and the following tribes responded:

- The Middletown Rancheria (8/16/18) had no project or site-specific comments at this time but requested that work stop immediately and the Tribe be contacted should any new information or evidence of human habitation be found as the project progresses.
- The Stewarts Point Rancheria Kashia Band of Pomo Indians (8/22/18) had no concerns or comments as the project site was reported to be out of their aboriginal territory.
- The Lytton Rancheria of California (9/11/18) requested consultation with Permit Sonoma under the provisions of AB 52. Consultation began on September 13, 2018 and was confirmed as closed by mutual agreement on October 18, 2018, the Tribe

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<sup>64</sup> Tom Origer and Associates, September 25, 2015. Cultural Resources Study for the Saints Peter and Paul Churchyard Cemetery Project, Santa Rosa, Sonoma County, California ("Origer Study").

and Permit Sonoma agreed to a series of Mitigation Measures (**TCR-1 through TCR-5 and GEO-1 through GEO-4**) to protect potential cultural resources.

- The Graton Rancheria (10/29/18) had no project or site specific comments but requested to stop work immediately and isolate the project site if evidence of tribal cultural resources were discovered and that their Tribe and a qualified archaeologist be contacted in that event.

With mitigation, and based on the review of data inventories, the proposed project would result in no substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5. As discussed in Section 5, Cultural Resources, the project would be required to comply with the County grading ordinance (County Code Chapter 11, Sec. 11-14-050), which includes provisions for the protection of human remains and archaeological resources during grading activities. Lytton Rancheria's requested mitigations from AB52 consultation, which was confirmed as closed on October 18, 2018, would be implemented through **Mitigation Measures TCR-1 through TCR-5**. These mitigation measures require the applicant to conduct cultural resource sensitivity trainings for construction personnel, implement treatment plans if cultural resources are encountered, and prepare monitoring service completion reports. Implementation of the County Grading Ordinance and the mitigation measures outlined in Sections 5 and 7 would reduce potential project impacts on previously undiscovered TCRs or unique archaeological resources accidentally encountered during project implementation to a less-than-significant level.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation Measure **TCR-1: Conduct Archaeological Sensitivity Training for Construction Personnel.** The Applicant shall retain a qualified professional archaeologist who meets U.S. Secretary of the Interior's Professional Qualifications and Standards, to conduct an Archaeological Sensitivity Training for construction personnel prior to commencement of excavation activities. The training session shall be carried out by a cultural resource professional with expertise in archaeology, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. The training session shall include a handout and shall focus on how to identify archaeological resources that may be encountered during earthmoving activities, the procedures to be followed in such an event, the duties of archaeological monitors, and, the general steps a qualified professional archaeologist would follow in conducting a salvage investigation if one is necessary.

Mitigation Monitoring **TCR-1:** Prior to ground disturbing activities, County staff shall ensure that the archaeologist has submitted to Permit Sonoma the Archaeological Sensitivity Training program for review and approval.

**Mitigation Measure TCR-2: Conduct Periodic Archaeological Resources Spot Check during Grading and Earth-moving Activities in Areas of Sensitivity.** The applicant shall retain a qualified professional archaeologist who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards to conduct periodic Archaeological Spot Checks beginning at depths below two (2) feet to determine if construction excavations have exposed or have a high probability of exposing archaeological resources. After the initial Archaeological Spot Check, further periodic checks shall be conducted at the discretion of the qualified archaeologist. If the qualified archaeologist determines that construction excavations have exposed or have a high probability of exposing archaeological artifacts, construction monitoring for archaeological resources by an archaeological and/or tribal monitor shall be required. The Applicant shall retain a qualified archaeological monitor who works under the guidance and direction of a professional archaeologist and who meets the qualifications set forth by the U.S. Secretary of the Interior's Professional Qualifications and Standards. The appropriate Native American Tribe(s) shall be contacted to arrange for tribal monitoring. The archaeological and tribal monitors shall be present during all construction excavations (e.g., grading, trenching, or clearing/grubbing) into non-fill younger Pleistocene alluvial sediments. Multiple earth-moving construction activities may require multiple archaeological monitors. The frequency of monitoring shall be based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (native versus artificial fill soils), the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Full-time monitoring can be reduced to part-time inspections if determined adequate by the project archaeologist.

**Mitigation Monitoring TCR-2:** Prior to ground disturbing activities, County staff shall ensure that the applicant or archaeologist has submitted to Permit Sonoma a proof that arrangements have been made to conduct initial and periodic spot checks for grading and earth-moving activities.

**Mitigation Measure TCR-3: Cease Ground-Disturbing Activities and Implement Treatment Plan if Archaeological Resources Are Encountered.** In the event that archaeological resources are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 50 feet shall be established around the find where construction activities will not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by project construction activities shall be evaluated by a qualified professional archaeologist, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be prehistoric, the appropriate Native American Tribe(s) shall be contacted immediately and consulted regarding evaluation of the site/artifact(s), and Native American construction monitoring shall be



initiated. The Applicant and County of Sonoma staff shall coordinate with the archaeologist the appropriate Native American Tribe(s) to develop an appropriate treatment plan for the resources.

**Mitigation Monitoring TCR-3:** In the event that archaeological resources are encountered, work shall be ceased, buffer areas maintained, and qualified professional archaeologist shall be engaged to follow evaluation and notification protocols, in coordination with the tribes and lead agency, prior to resuming work.

**Mitigation Measure TCR-4: Prepare Report Upon Completion of Monitoring Services.** The archaeological monitor, under the direction of a qualified professional archaeologist who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards, shall prepare a final report at the conclusion of archaeological monitoring (if required). The report shall be submitted to the Applicant, the Northwest Information Center (NWIC), the County of Sonoma staff, the appropriate Native American Tribe(s), and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures. The report shall include a description of resources unearthed, if any, evaluation of the resources with respect to the California Register and CEQA, and treatment of the resources.

**Mitigation Monitoring TCR-4:** Prior to issuance of building permits or the use permit certificate (occupancy), the archaeologist should submit a completion of monitoring services report to the applicant, the NWIC, Permit Sonoma, and appropriate Native American Tribe(s).

**Mitigation Measure TCR-5: Cease Ground-Disturbing Activities and Notify County Coroner if Human Remains are Encountered.** If human remains are unearthed during implementation of the proposed project, the Sonoma County staff, and the Applicant shall comply with State Health and Safety Code Section 7050.5. The County of Sonoma staff and the Applicant shall immediately notify the County Coroner and no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). After the MLD has inspected the remains and the site, they have 48 hours to recommend to the landowner the treatment and/or disposal, with appropriate dignity, the human remains and any associated funerary objects. Upon the reburial of the human remains, the MLD shall file a record of the reburial with the NAHC and the project archaeologist shall file a record of the reburial with the California Historical Resources Information System - Northwest Information Center (CHRIS-NWIC). If the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the landowner rejects the recommendation of the MLD and the mediation provided for in Subdivision (k) of

Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

## 19. UTILITIES AND SERVICE SYSTEMS

Would the project:

- a) **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

Comment:

The project would be supplied water by two wells. Cemetery employees would use water from the well (Sonoma County WELL-850) on the neighboring church property (APN: 134-082-054). An existing onsite well (Sonoma County WELL-3367) that is not rated for human consumption would only be used to irrigate landscaped areas.

No on-site restroom facilities are proposed as part of the project. An existing restroom facility at the neighboring church property would be used by cemetery employees. The onsite dwelling's restroom would not be available to the public or employees and is served by a septic tank and leach field to the southwest of the dwelling. Portable restroom facilities would be provided for four larger gatherings throughout the year. No new water sources or wastewater treatment infrastructure is proposed under this project.

The project would require no new, expanded, or relocated utilities because it is in an area with existing electrical and telecommunications utilities and storm water drainage infrastructure.

Project construction could temporarily alter stormwater flows at the project site due to ground disturbing activities. Grading of the site for roads and project development may alter the natural topography and may alter the drainage pattern and increase storm water runoff. Construction impacts have been analyzed in Section 3 Air Quality, Section 7 Geology and Soils, and Section 10 Hydrology and Water Quality.

Grading permits would only be issued after Permit Sonoma, Grading and Storm Water Division, reviews storm water drainage development plans designed by a storm water engineer to ensure adequate management of storm water drainage facilities on the site.

Significance Level: Less than Significant Impact

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

Comment:

As discussed in Section 10, Hydrology and Water Quality, the project would use two existing wells (already permitted; see Section 19.a). The Hydrogeologic Report which evaluated groundwater availability concluded that the project would have an average water demand of 21.46 acre-feet per year (AF/yr); this water demand reflects both existing and future additional groundwater uses for the property to operate the cemetery as well as the on-site single family residence. As noted in the Hydrogeologic Report, potential groundwater recharge in the project area is estimated to be 58.6 AF/yr. The report also states that the amount of groundwater used for the project would amount to two percent of groundwater in storage within the cumulative impact area. Because the potential groundwater recharge is greater than demand for water in the area, there would be sufficient water supplies to serve the project.

Significance Level: Less than Significant Impact

- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

Comment:

As discussed in Section 19.a, the project does not involve the installation of new wastewater treatment utilities. The onsite dwelling's restroom is served by a septic tank and leach field to the southwest of the dwelling, and the restroom is not open to the public or employees. Portable restroom facilities would be provided for up to four larger gatherings per year. Cemetery employees would use existing restroom facilities within the adjacent church.

Significance Level: Less than Significant Impact

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

Comment:

Project construction would generate solid waste. As such, a reduction of solid waste that would be sent to a local landfill is necessary to assist with Sonoma County diversion rate goals. The applicant would recycle construction waste, where appropriate, as a condition of approval.

Amount of waste generated from the cemetery operations is anticipated to be minimal because of the type and frequency of gatherings. The project would allow up to four large gatherings of visitors per year. These gatherings would typically accommodate 50 people and at the most, 150 people for an Easter celebration, for no more than two hours. Other smaller, more frequent, gatherings would accommodate 5 to 25 people. These gatherings would last no more than two hours, and no food or beverage would be served.

Sonoma County has a solid waste management program in place that provides solid waste collection and disposal services for the entire County. The program can accommodate the permitted collection and disposal of the waste that would result from the proposed project. Sonoma County has access to adequate permitted landfill capacity to serve the proposed project.

Significance Level: Less than Significant Impact

**e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

Comment:

The project would comply with all federal, state, and local management and reduction statutes and regulations related to solid waste.

Significance Level: No Impact

## **20. WILDFIRE**

**If located in or near state responsibility areas or lands classified as very high fire severity zones, would the project:**

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?**
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk of that may result in temporary or ongoing impacts to the environment?**

- d) **Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

Comment:

According to the Sonoma GIS tool, the proposed project is located in a Local Responsibility Area (LRA), with a Fire Hazard Severity Zone (FHSZ) designation of Non-Wildland/Non-Urban.<sup>65</sup> The surrounding lands are classified as follows: directly south and east of the parcel, the lands are LRA with a FHSZ designation of Non-Wildland/Non-Urban; north and directly west of the parcel, the lands are LRA with a FHSZ designation of Urban Unzoned. The nearest Moderate FHSZ is west of the parcel on the other side of Phillips Ave.<sup>66</sup> Because the project site is not located in or near a State Responsibility Area and the surrounding area, including the project site, is not classified as a high or very high FHSZ, there would be no impacts with regard to criteria 20.a through 20.d. Also see Section 9, Hazards and Hazardous Materials, for a discussion of wildfire risk and the project's compliance with the Sonoma County Fire Safety Standards (Sonoma Code Chapter 13) and related state codes.

Significance Level: No Impact

## 21. MANDATORY FINDINGS OF SIGNIFICANCE

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

Comment:

The project does have the potential to degrade the quality of the environment. Potential project impacts on special status plant and wildlife species and habitat are addressed in Section 4. The project proposes filling wetlands and developing in California Tiger Salamander habitat. Implementation of the required Mitigation Measures (**BIO-1 through BIO-10**) would reduce these potential impacts to a less-than-significant level.

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<sup>65</sup> Sonoma County. Permit Sonoma GIS, "Cannabis Site Evaluation," accessed March 6, 2020.

<http://sonomamap.maps.arcgis.com/apps/webappviewer/index.html?id=0b784d90045941798d780f288b6f7003>

<sup>66</sup> Sonoma County General Plan 2020, Public Safety Element, Wildland Fire Hazard Areas, Figure PS-1g, <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Wildland-Fire-Hazard-Areas/>, accessed 4/23/18.

Potential adverse project impacts to Cultural Resources are addressed in Section 5, Cultural Resources, and Section 18, Tribal Cultural Resources. Implementation of the required Mitigation Measures (**TCR-1 through TCR-5**) would reduce these potential impacts to a less-than-significant level. All potential impacts to listed plants and animals and cultural resources would be mitigated to less-than-significant levels.

Potential adverse project impacts to paleontological resources are addressed in Section 7, Geology and Soils. Implementation of the required Mitigation Measures (**GEO-1 through GEO-4**) would reduce these potential impacts to a less-than-significant level.

Significance Level: Less than Significant Impact

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

Comment:

No project impacts have been identified in this Initial Study that are individually limited but cumulatively considerable. The project would contribute to impacts related to air quality, biological resources, cultural resources, geology and soils, noise, tribal cultural resources, and other environmental topics as described in this Initial Study, but mitigations, where necessary, or the standards in the permitting processes, would reduce project impacts to less-than-significant levels. Therefore, the project’s contribution to off-site cumulative impacts would be less than considerable.

Significance Level: Less than Significant Impact

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

Comment:

All potential impacts and adverse effects on human beings (resulting from air quality, hazards, noise, traffic) were analyzed, and would be less than significant.

Significance Level: Less than Significant Impact

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