COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT
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KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

April 7, 2017

David Joseph
250 Ocean View Ave
Santa Cruz, CA 95062

APN: 052-511-06
App #: REV161071

Dear Mr. Joseph:

The letter dated November 8, 2016, described two deficiencies to be addressed, prior to acceptance of the biotic report, restoration plan and wetland delineation. The restoration of the pond to previous conditions with the revegetation plan has been reviewed and is acceptable as designed. This satisfies the requirement for revisions to the wetland delineation, and as such, the wetland delineation can now be accepted as well. The final issue that was noted in the above referenced letter was the removal of the storage containers from the riparian area. The current proposed plans show retaining some of the containers in that location. It will be a condition of approval that those containers are relocated to an appropriate site on-site outside of the riparian area, or removed from the property altogether if no longer necessary. The area beneath the containers will need to be revegetated based upon the plant pallet submitted for the restoration plan and included in the monitoring and maintenance of the entire restoration plan.

Regarding the working equipment parking, this does not seem to be a pre-existing use and there is some concern about the proximity to the drainage. Examination of historic photos shows this area to be disturbed by various stockpile activities. In order to ensure sufficient area around the riparian drainage and to prevent accidental incursion by working equipment, it shall be a condition of approval to install a split rail fence or similar barrier 30 feet from the top of bank to the east and south of the drainage.

The following mitigations still apply:

BIOTIC REPORT

The biotic report identifies the potential presence of California red-legged frogs (CRLF), western pond turtles, and migratory birds, any of which may be impacted as a result of construction activities. To ensure to take of these protected species occurs, the following measures shall be incorporated into conditions of approval for this project:

Impact BIO-1. If any trees must be removed or trimmed to implement the proposed lumber project, nesting migratory birds may potentially be destroyed or disturbed.

Mitigation Measure BIO-1. Schedule tree removal or trimming to occur between August 1 and March 1 of any given year. If that is not practical, then a qualified biologist shall conduct surveys for nesting birds no more than 14 days prior to tree removal or trimming. If nesting birds are observed in the trees

scheduled for removal or trimming, then the removal or trimming shall be postponed until the biologist determines that all chicks have fledged the nest.

Impact BIO-2. Preparation of the site for construction of the proposed lumber mill facilities has the potential to injure or kill California red-legged frogs or pond turtles, if any are present during stripping and grading or other ground disturbance. Both the frog and the turtle are closely tied to their aquatic habitats, but are able to traverse disturbed and open areas (such as the existing Williams Tree Service operational areas), usually during the rainy season, during movements to/from breeding ponds to summer foraging sites (e.g. creeks).

Mitigation Measure BIO-2. A qualified biologist shall conduct preconstruction surveys of the disturbance area for red-legged frogs and pond turtles no more than 48 hours prior to commencement of ground disturbance, using both a daytime and nighttime survey protocol. If red-legged frogs are observed, construction will be postponed until monitoring by the biologist confirms that the frog has left the work area of its own accord. In this case, the biologist will be required to clear the project site each morning prior to initiation of construction activities. If that is not practical, then the applicant shall immediately contact the USFWS regarding red-legged frog, and for pond turtles contact the CDFW. No frogs or turtles shall be relocated unless approved by USFWS and CDFW, respectively. If no frogs or turtles are found in the disturbance area during the day and night surveys, no further surveying will be required unless either species is encountered during construction.

Mitigation Measure BIO-3. Have a biologist present a tail-gate type worker educational session just prior to commencement of ground disturbance. The educational session should contain a brief ecology of the red-legged frog and pond turtle, photos, measures to avoid any potential impacts to the species, and their protected status. Flyers or books with this information may be used for the presentation.

Impact BIO-3. Exterior lighting of the proposed new lumber mill facilities has the potential to disturb riparian species, as well as other more common wildlife.

Mitigation Measure BIO-4: In order to mitigate impacts from a new light source, prior to final approval plans shall be revised to comply with the following requirements:

a) All site, building, security and landscape lighting shall be directed onto the site and away from riparian areas.
b) Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.
c) All lighted parking and circulation areas shall utilize low-rise light standards. Light standards to a maximum height of 15 feet are allowed.
d) Security lighting shall be on a timer and/or motion sensor.

Sincerely,

Matthew Johnston
Environmental Planning

Cc: Todd Sexauer, Environmental Coordinator
Antonella Gentile, Project Resource Planner
Annette Olson, Project Planner