

APPENDIX 4

Local Regulatory Framework Governing Environmental Resources

Environmental resources are often governed at a local level, specific to the types and uses of resources within local jurisdictions. California state law requires each county and city to adopt “a comprehensive, long-term general plan for the physical development of the county or city, and any land outside its boundaries which bears relation to its planning” (Government Code section 65300). State Planning and Zoning Law (Government Code Section 65302(a)) establishes the requirements for elements to be included in the general plan.

The *Sonoma County General Plan 2020* (County of Sonoma PRMD, 2008) is a revision of the previous General Plan adopted in 1989. The General Plan establishes policies to guide decisions on future growth, development, and conservation of resources through 2020 in a manner consistent with the goals and quality of life desired by the County’s residents. The *Sonoma County General Plan 2020* establishes a regulatory framework for management of resources within the Estuary project area. The subsections below, organized by resource topical area, summarize relevant General Plan elements, or reiterate specific goals, objectives, and policies that are considered in the analyses in **Chapter 4, Environmental Setting, Impacts, and Mitigation Measures**.

4.1 Geology and Soils

The *Sonoma County General Plan 2020* includes Resource Conservation elements that identify goals and policies that may be pertinent to geologic resources under the proposed project. The Resource Conservation Element provides goals and policies for the conservation of natural resources including water, forests, soils, rivers, harbors, fisheries, wildlife, minerals, and other natural resources. It supports the county's economic base by promoting the production and use of the county's resources. It guides land use decisions that will contribute to the long-term maintenance of resource production.

For Soil Erosion, Goal RC-2 is to promote and encourage soil conservation and management practice that maintain the productivity of soil resources. Objective RC-2.1 calls for ensuring that permitted uses are compatible with reducing potential damage due to soil erosion. Objective RC-2.2 is to establish ways to prevent soil erosion and restore areas damaged by erosion.

For Water Resources, Goal RC-3 calls for the conservation, enhancement, and management of water resources, protection of their quality, and assurance of an adequate long term supply of water

for domestic, fishing, industrial and agricultural use. Objective RC-3.1 is to preserve watersheds and groundwater recharge areas by avoiding the placement of potential pollution sources in areas with high percolation rates. Objective RC-3.2 requires development standards in recharge areas to maintain groundwater supplies. Objective RC-3.3 calls for the preservation and enhancement of the quality of surface and groundwater resources. Objective RC-3.4 is to insure that land uses in rural areas be consistent with the availability of groundwater resources.

For Mineral Resources, Goal RC-11 calls for providing for production of aggregates to meet local needs and contribute the County's share of demand in the North Bay production-consumption region, and managing aggregate resources to avoid needless resource depletion and ensure that extraction results in the fewest environmental impacts. Objective RC-11.1 calls for using the Aggregate Resources Management Plan to establish priority areas for aggregate production and to establish detailed policies, procedures, and standards for mineral extraction. Objective RC-11.2 calls for minimizing and mitigating the adverse environmental effects of mineral extraction and reclaim mined lands.

4.2 Hydrology and Flooding

The following goals, objectives, and policies relating to surface water hydrology and flooding are defined within the Public Safety Element of the *Sonoma County General Plan 2020* are applicable to the proposed project:

Policy for Reduction of Potential Damage from Geologic Hazards

GOAL PS-1: Prevent unnecessary exposure of people and property to risks of damage or injury from earthquakes, landslides and other geologic hazards.¹

Objective PS-1.1: Continue to develop and utilize available data on geologic hazards and associated risks.

Objective PS-1.2: Regulate new development to reduce the risks of damage and injury from known geologic hazards to acceptable levels.

Objective PS-1.3: Utilize the Sonoma County Hazard Mitigation Plan to help reduce future damage from geologic hazards.

The GP 2020 also outlines a number of policies that shall be used to achieve these objectives. Those policies relevant to the project include: Policy PS-1a, Policy PS-1b, Policy PS-1c, Policy PS-1d, Policy PS-1e, Policy PS-1f, Policy PS-1k, and Policy PS-1m.

Policy for Reduction in Potential Damage from Flooding

GOAL PS-2: Reduce existing flood hazards and prevent unnecessary exposure of people and property to risks of damage or injury from flood hazards.

Objective PS-2.1: Maintain complete data on flood hazards.

¹ Geologic hazards, as defined in the GP 2020, include tsunamis.

Objective PS-2.2: Regulate new development to reduce the risks of damage and injury from known flooding hazards to acceptable levels.

Objective PS-2.3: Utilize the Sonoma County Hazard Mitigation Plan to help reduce future damage from flood hazards.

The GP 2020 also outlines a number of policies that shall be used to achieve these objectives. Those policies relevant to the project include: Policy PS-2a, Policy PS-2b, Policy PS-2d, Policy PS-2e, Policy PS-2f, Policy PS-2g, Policy PS-2h, Policy PS-2i, Policy PS-2l, Policy PS-2m, Policy PS-2s, Policy PS-2u, and Policy PS-2v.

4.3 Water Quality

Review and consideration of local regulations and policies relevant to water quality is focused on the North Coast Basin Plan, described in Section 4.3.

4.4 Biological Resources

Sonoma County General Plan 2020

The following goals, objectives, and policies for protecting biological resources defined within the Open Space and Resource Conservation Element of the *Sonoma County General Plan 2020* are applicable to the proposed project:

Policy for Biotic Habitat Areas

GOAL OSRC-7: Protect and enhance the County's natural habitats and diverse plant and animal communities.

Objective OSRC-7.1: Identify and protect native vegetation and wildlife, particularly occurrences of special status species, wetlands, sensitive natural communities, woodlands, and areas of essential habitat connectivity.

Objective OSRC-7.3: Establish development guidelines to protect designated Biotic Habitat Areas and assure that the quality of these natural resources is maintained.

Objective OSRC-7.4: Where appropriate, support regulatory efforts by other agencies to protect biotic habitat.

Objective OSRC-7.5: Maintain connectivity between natural habitat areas.

Objective OSRC-7.6: Establish standards and programs to protect native trees and plant communities.

Objective OSRC-7.8: Encourage voluntary efforts to restore and enhance biotic habitat.

Objective OSRC-7.9: Preserve and restore the Laguna de Santa Rosa, San Pablo Bay and Petaluma marshes and other major marshes and wetlands.

Objective OSRC-7.10: Promote production of native marine and shoreline plant and animal habitats along the Pacific Coast and San Pablo Bay shorelines.

Policy OSRC-7b: Rezone to the Biotic Resources combining district all lands designated as Biotic Habitat Areas. Prepare and adopt an ordinance that provides for protection of designated Biotic Habitat Areas in conformance with the following principles. Until the ordinance is adopted, require that land use and development in designated areas comply with these principles:

1. For discretionary projects, notify applicants of protected habitats and species and possible requirements of Federal and State regulatory agencies, request identification of known protected habitats and species, and:
 - a. In designated Biotic Habitat Areas, require site assessment and adequate mitigation. The priorities for adequate mitigation are, in order of highest to lowest priority:
 - Avoid the habitat.
 - Mitigate on site to achieve no net loss.
 - Mitigate off site to achieve no net loss.
 - Create replacement habitat off site to achieve no net loss.

To the extent feasible, the mitigation required by the County should be consistent with permit requirements of Federal and State regulatory agencies.
 - b. In designated Marshes and Wetlands, require a setback of 100 feet from the delineated edges of wetlands. The setback may be reduced based upon site assessment and appropriate mitigation.
 - c. In designated Habitat Connectivity Corridors, encourage property owners to consult with CDFG, install wildlife friendly fencing, and provide for roadway undercrossings and oversized culverts and bridges to allow movement of terrestrial wildlife.
 - d. The acreage required for adequate mitigation and replacement habitat shall be at least two times the acreage affected unless a lower level is acceptable to the applicable State and Federal agencies, with the amount depending on the habitat affected and the applicable mitigation priority value.
2. For discretionary projects in all designated Biotic Habitat Areas, send referrals to appropriate regulatory agencies and, where such agencies' comments or other agency information indicates biotic resources could be adversely affected, require site assessment, compliance with agency requirements and adequate mitigation pursuant to the priorities in (1) (a).*

Policy OSRC-7c: Notify discretionary and ministerial permit applicants of possible requirements of Federal and State regulatory agencies related to jurisdictional wetlands or special status species.*

Policy OSRC-7f: Support acquisition of conservation easements or fee title by the Sonoma County Agricultural Preservation and Open Space District (SCAPOS) of designated Biotic Habitat Areas.*

Policy OSRC-7k: Require the identification, preservation and protection of native trees and woodlands in the design of discretionary projects, and, to the maximum extent practicable, minimize the removal of native trees and fragmentation of woodlands, require any trees removed to be replaced, preferably on the site, and provide permanent protection of other existing woodlands where replacement planting does not provide adequate mitigation.

Policy OSRC-7l: Identify important oak woodlands, assess current protection, identify options to provide greater protection of oak woodlands and their role in connectivity, water quality and scenic resources, and develop recommendations for regulatory protection and voluntary programs to protect and enhance oak woodlands through education, technical assistance, easements and incentives.*

Policy OSRC-7n: Encourage landowners to voluntarily participate in a program that protects officially designated individual trees or groves that either have historical interest or significance or have outstanding size, age, rarity, shape or location.*

Policy OSRC-7r: Develop comprehensive programs for preservation and restoration of the freshwater marsh habitat of the Laguna de Santa Rosa area, the extensive marsh areas along the Petaluma River, other tidal marshes, and freshwater marshes such as the Pitkin, Kenwood, Cunningham, and Atascadero Marshes. Include mechanisms for preservation and enhancement such as land acquisition, zoning restrictions, public and private conservation easements, regulating filling, grading or creation, floodwater retention, and wetland restoration.*

Policy OSRC-7t: Continue to actively participate in the FishNet4C program and work cooperatively with participating agencies to implement recommendations to improve and restore aquatic habitat for listed anadromous fish species and other fishery resources.*

Policy OSRC-7u: Identify and consider designation of old growth Redwood and Douglas Fir as sensitive natural communities. Encourage preservation and public acquisition of remaining old growth Redwood and Douglas Fir forests in private ownership with the County. Because of their rarity and biological importance, these sensitive natural community types should be made priorities for protection through conservation easements, fee title purchase, or other mechanisms.*

Policy for Riparian Corridors

GOAL OSRC-8: Protect and enhance Riparian Corridors and functions along streams, balancing the need for agricultural production, urban development, timber and mining operations, and other land uses with the preservation of riparian vegetation, protection of water resources, flood control, bank stabilization, and other riparian functions and values.

Objective OSRC-8-1: Designate all streams shown on USGS 7.5 minute quadrangle topographic maps as of March 18, 2003, as Riparian Corridors and establish streamside conservation areas along these designated corridors.

Policy OSRC-8b: Establish streamside conservation areas along both sides of designated Riparian Corridors as follows, measured from the top of the higher bank on each side of the stream as determined by PRMD:

1. Russian River Riparian Corridor: 200'

2. Flatland Riparian Corridors: 100'
3. Other Riparian Corridors: 50'*

Policy OSRC-8i: As part of the environmental review process, refer discretionary permit applications near streams to CDFG and other agencies responsible for natural resource protection.*

Policy OSRC-8j: Notify permit applicants of possible Federal and State permit requirements in areas near streams and notify landowners whose property overlaps or touches a designated Riparian Corridor regarding the public hearings on the proposed regulations affecting them.*

Policy for Marine Fishery and Harbor Resources

GOAL OSRC-9: Protect and conserve the quality of ocean, marine and estuarine environments for their scenic, economic and environmental values.

Objective OSRC-9-1: Utilize the Local Coastal Plan as the policy document for protection of marine fishery and harbor resources.

Policy OSRC-9a: Incorporate policies for protection and conservation of ocean marine and estuarine environments into the Local Coastal Plan.

County of Sonoma Tree Ordinances

The Tree Protection Ordinance (Section 26-88-010[m]) of the Sonoma County Code sets preservation and protection standards for protected trees with a nine inch or greater diameter at breast (standard) height (dbh). Protected trees include 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. Only mature valley oaks are considered a protected tree of special significance and are given special consideration in the design review process to the extent that mature specimens shall be retained to the fullest extent possible. The number and size of replacement plantings is calculated using one of the two arboreal value charts as instructed in the ordinance. Arboreal Value Chart No. 1 requires analysis to be completed in the creation area and requires 100 percent replacement or in lieu fees. Arboreal Value Chart No. 2 requires analysis of the entire site but allows for removal of up to 50 percent of the arboreal value. Compensation for the loss of trees greater than 50 percent requires determining the number of trees to replace using the arboreal value chart.

County of Sonoma Local Coastal Plan

The County of Sonoma Local Coastal Plan (LCP), amended in 2001, established goals and policies to protect, maintain, enhance and restore the overall quality of the coastal zone environment and its natural and man-made resources. Additionally, the LCP aims to assure orderly balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of

the people of the state. The following environmental resource summaries and policies and recommendations governing specific resource categories are applicable to the proposed project.

Environmental Resource Summaries

6. MunizJenner Highcliffs

Steep cliffs dominate the area from Timber Gulch to Russian Gulch. Bluffs and grass land are the major communities from Russian Gulch south to the Highway 1 bridge.

Russian Gulch is an anadromous fishery spawning stream and its shore is a surf-casting area for day and night smelt. Osprey nests have been reported in the Russian Gulch watershed.

At the intersection of Highway 116 and Highway 1, there is a flat area used for hay production. Jenner Pond, near this intersection, is one of the most visible freshwater wetlands in the coastal zone. In spite of its immediacy to Highway 1, this pond is used extensively by shorebirds, ducks, coots and rails.

Sanctuary-Preservation Areas:

- Russian Gulch stream
- Offshore rocks (seabird nesting sites) south of Russian Gulch
- Jenner Pond
- Riparian corridors of Timber Gulch, Russian Gulch, Jenner Gulch, and the Russian River north edge
- Rocky intertidal area

Conservation Areas:

- Agricultural surrounding Jenner Pond
- Little Black Mountain

7. Duncans Mills

The Duncans Mills unit extends to the inland limit of tidal influence in the Russian River, or roughly to Saint Joseph Camp.

South of the Russian River the steep slopes are covered by dense coastal woodlands, while the land to the north is predominantly grassland community. A well-developed riparian community parallels the river on either side.

Duncans Mills Marsh, privately owned by the adjacent property owners, is a unique freshwater marsh containing a wood duck nesting area and several plants uncommon in California.

Sanctuary-Preservation Areas:

- Duncans Mills freshwater marsh and adjacent riparian area

- Osprey nest site
- Riparian corridor on north and south sides of the Russian River
- Redwood Tree on Freezout Road

Conservation Areas:

- Part of coastal woodland south of Rancho del Paradiso subdivision

8. Pacific View-Willow Creek-Russian River South Side

The Pacific View-Willow Creek unit is dominated in its southern half of coastal grassland and in the northern half by coastal woodland. Coastal beaches are sandy cusps at the north and south extremes with rocky intertidal between. The coastline is part of the Sonoma Coast State Beach and includes Goat Rock State Park and Shell, Wright, Gleason, and Portuguese Beaches.

Riparian vegetation stretches along both sides of the Russian River and is also dominant plant growth along Willow Creek, Kolmer Gulch and Scotty Creek.

The Willow Creek Ranch, south of the river, contains the largest freshwater marsh in the Sonoma coastal zone from the junction of Willow Creek with the Russian River to the east and southeast about one mile.

The secluded upland coastal woodlands (redwood and Douglas fir) and adjacent grasslands are territory for the spotted owl and contain a number of documented nesting sites for the osprey which feed particularly along the Willow Creek wetland area.

Large offshore rocks, Arch Rock and Gull Rock, are nesting areas for several seabirds, and have provided nesting for peregrine falcons.

The coastline off of Portuguese Beach, between Duncans Point and Furlong Gulch, and at the mouth of the Russian River are three areas of surf smelt or day smelt and night smelt.

A heron rookery is located on Penny Island in the cypress trees on the northeastern side of the island. Successful nesting at this site has been observed during the most recent three years. The island is presently part of the State Park, but does not have any particular sanctuary status. Log shags in the Russian River from Penny Island to Willow Creek provide habitats for seals, sea lions, and water birds and should be preserved.

Sanctuary-Preservation Areas:

- Penny Island
- Willow Creek freshwater marsh
- Coastal bluff at Duncan Point
- Rare and/or endangered plant site
- Osprey nest sites

- Heron rookeries in Willow Creek Park
- Freshwater marsh, sand spit, and riparian corridor on south side of the Russian River
- Riparian corridor of Willow Creek upstream to its second land-crossing by Willow Creek Road
- Riparian corridor of Scotty Creek and Kolmer Gulch
- Rocky intertidal area

Conservation Areas:

- Coastal woodland and grassland between the south side of Freezeout Creek and the north side of Willow Creek

Environmental Resources Management Recommendations

Sandy Beaches and Sand Spits, including Smelt Spawning Areas

1. Prohibit the opening of sandbars except for maintenance of tidal flow to assure the continued biological productivity of streams and associated wetlands and in particular cases to prevent flooding. Bars should not be breached until there is sufficient in-stream flow to preserve anadromous fish runs.

Dunes and Coastal Strand

5. Preserve and protect coastal dune habitats from all but resource dependent, scientific, educational, and passive recreational uses including support facilities. Disturbance or destruction of any dune vegetation should be prohibited unless as required for public park facilities, and then only if revegetation is a condition of project approval.
7. Minimize foot traffic for all permitted uses, including recreation, on vegetated dunes. Where access through dunes is necessary, well-defined footpaths or raised boardwalks shall be developed and used. Access areas should be posted with explanations describing the importance of the use of limited access routes for the purpose of protecting the plant communities.
8. Identify wildlife nesting and breeding habitats of rare or sensitive plants or animals for the publicly owned dune areas in order to temporarily restrict access to these areas during identified breeding and nesting seasons.

Riparian

Note: Where General Plan standards and policies are more restrictive than the following, development shall comply with the General Plan or Coastal Plan policies, whichever are more restrictive, provided that no development shall be approved which does not comply with Coastal Plan policies.

12. Prohibit filling, grading, dredging, excavation or creation in the watercourse of a riparian corridor unless it is shown that such action will maintain the value of the area as a habitat for wildlife and aquatic organisms and is compatible with continued viability of the habitat.

Wetlands (Marshes, Ponds, Reservoirs, Seeps)

Note: Where General Plan standards and policies are more restrictive than the following, development shall comply with the General Plan or Coastal Plan policies, whichever are more restrictive, provided that no development shall be approved which does not comply with Coastal Plan policies.

16. Encourage restoration of marshlands where feasible.
18. Prohibit filling, grading, diking, dredging, and creation in wetlands, except under special conditions delineated in the Coastal Act Section 30234. All projects must maintain or enhance the functional capacity of the wetland or Estuary. Dredging, when consistent with the provisions of the Coastal Act and where necessary for the maintenance of the tidal flow and continued viability of the wetland habitat, should be subject to the following conditions:
 - Prohibit dredging in breeding and nursery areas and during periods of fish migration and spawning.
 - Limit dredging to the smallest area feasible.
 - Require protective measures for dredging and excavation such as silt curtains, diapers, and weirs to protect water quality.
 - Remove structures as soon as possible once they have served their purpose.

Dredge spoils should not be deposited in areas subject to tidal influence or in areas where public access would be significantly adversely affected, as well as certain environmentally sensitive areas.

Minimize creation on land adjacent to wetlands during maximum seasons of breeding bird activity (March 1 to July 1).

Rare or Endangered Plants and Animals

58. Protect designated sites of rare or endangered plants. Prior to any development in or adjacent to designated sites, conduct precise botanical surveys to determine the distribution of any rare or endangered plants. Botanical surveys should be conducted during natural blooming season of species in question. Development should be sited and designed and constructed to prevent impacts of grading, paving, creation of roads or structures, runoff, and erosion from significantly degrading rare or endangered plant habitats, and shall be compatible with the continuance of such habitat areas.
59. Assure compliance with the Federal Endangered Species Act of 1973 and the California Endangered Species Act of 1970 as amended.

Osprey Nest Sites

60. Limit recreational activities near identified osprey nesting sites to low intensity passive recreation. These limitations are especially important during May through July when incubation takes place.
64. Prohibit removal of osprey nests.

64. Prohibit development of structures and avoid development of new roads if at all possible within the nesting site areas.

Heron Rookeries

65. Prohibit public access in areas of identified heron rookeries. Access to Penny Island should be limited to low intensity usage for scientific and educational purposes. Scientific and educational use should be managed so as not to interfere with heron nesting. (February to mid July).
66. Prohibit new development (creation of structures or roads) within 600 feet of a rookery.

Spotted Owl Territory

67. Minimize impacts of development near identified Spotted Owl nesting and breeding areas.

Marine Mammal Haulout Grounds

72. Limit recreational activities near and prohibit disturbance of designated areas used for harbor seal and sea lion hauling-out grounds to passive recreation to insure continued viability of these habitats.

Sonoma Coast State Park General Plan and EIR

The Sonoma Coast State Park (SP) General Plan and EIR (Plan) was certified in 2007 to address increasing visitation while protecting important natural and cultural resources. The Plan reflects the state parks' dual roles as stewards of sensitive plant and wildlife resources and the providers of recreational areas, and was designed to provide infrastructure guidance for elements of the park, including potential improvement of facilities, while analyzing impacts on environmental resources pursuant to the CEQA. Specific policies regarding vegetation and wildlife within the park are described below.

Goal NAT-1: Protect, maintain, and, where appropriate, restore the diversity of natural areas within Sonoma Coast SP. Protect special-status plants within Sonoma Coast SP and manage resources for their perpetuation and enhancement in accordance with State and federal law.

Guideline NAT-1A: Inventory and monitor Sonoma Coast SP's natural resources including natural communities and special-status plants to document their distribution and abundance.

Guideline NAT-1B: Protect and restore natural areas in those areas where they will not recover in a reasonable timeframe if left untreated. This may be accomplished through maintenance or re-establishment of natural processes such as fire, flooding, and succession.

Guideline NAT-1C: Control and/or eradicate non-native invasive species to prevent their establishment and spread. Priority for control efforts should be directed toward species that are most invasive, ecologically detrimental, and/or conspicuous within areas that contain intact native plant communities. Maintain database on distribution and abundance of target populations.

Guideline NAT-1D: When implementing habitat restoration projects and landscaping around facilities, use native species that are appropriate to the site and that are obtained

from native plant species within Sonoma Coast SP boundaries or from within 5 miles of Sonoma Coast SP. This includes transplanted cuttings and rootstocks or seedlings and saplings grown from collected seed that are genetically compatible. Ensure that all mulches are free of foreign seed.

Guideline NAT-1E: Avoid fragmentation of intact habitat areas when creation new facilities and siting trails.

Guideline NAT-1F: Acquire land or conservation easements from willing sources that would act as a protective buffer for critical resources or that are essential for the completion of goals in resource management programs.

Guideline NAT-1G: Cooperate with existing regional conservation plans and policies, and participate in the development of regional conservation plans when such programs are consistent with Sonoma Coast SP natural resources goals.

Guideline NAT-1H: Develop interpretive programs and facilities that inform visitors about the importance of protecting the diversity of native plant life at Sonoma Coast SP.

Goal NAT-2: Restore, maintain, protect, and ensure the perpetuation of native fauna at Sonoma Coast SP. Protect special-status fauna within Sonoma Coast SP and manage resources for their perpetuation and enhancement in accordance with State and federal law.

Guideline NAT-2A: Protect common and sensitive fauna and their habitats for the purpose of establishing and maintaining self-sustaining populations in a natural ecological setting. Avoid human-induced disturbance and degradation of natural areas. Protect special habitat elements such as snags and monarch roost trees.

Guideline NAT-2B: Develop specific programs to protect and rehabilitate sensitive animal populations and their habitats using sound ecological principles and professionally accepted methods. Include species that are locally important.

Guideline NAT-2C: Inventory and monitor selected common and special-status fauna to identify population trends. Protect all special status fauna occurring within Sonoma Coast SP. Monitor and develop baseline data for future management, assess the health of the populations, and take corrective actions if necessary.

Guideline NAT-2D: Identity, maintain, and protect wildlife movement corridors within Sonoma Coast SP.

Guideline NAT-2E: Maintain working relationships with other land owners and stakeholders in the vicinity of Sonoma Coast SP, to coordinate efforts to identify and preserve habitat linkages.

Guideline NAT-2F: Establish cooperative agreements, conservation easements, or purchasing land from willing owners to provide buffers and habitat linkages to existing resources within Sonoma Coast SP.

Guideline NAT-2H: Remove barriers to fish passage where feasible to provide habitat linkages to existing resources within Sonoma Coast SP.

Guideline NAT-2I: Control the establishment and spread of invasive animal species that are detrimental to the integrity of ecological processes or special-status fish, wildlife, or plant species and their habitat.

Guideline NAT-2J: Develop interpretive programs and facilities that inform visitors about the importance of protecting the diversity of native fauna at Sonoma Coast SP.

Guideline NAT-2K: Reduce and, where possible, eliminate wildlife access to human food and garbage by using wildlife-proof trash containers where appropriate in Sonoma Coast SP, including administration and residence areas.

4.5 Fisheries

Refer to the policies listed in Section 4.4 above.

4.6 Land Use and Agriculture

The Sonoma County General Plan 2020 includes Land Use, Agricultural Resources, and Open Space and Resource Conservation elements that identify goals and policies that apply to land uses and agricultural uses relevant to the proposed project.

Land Use Element. The Land Use Element establishes policies for guiding land use and development in accordance with planned future growth, including the distribution, location, and extent of land uses and their associated standards of population density and building intensity. The Land Use Element provides goals and objectives that are relevant to the Proposed Project. Goals LU-1, LU-2, LU-5, LU-8 focus on accommodating growth in Sonoma County with consideration of environmental constraints, capacities of public services and maintaining agricultural lands.

Agricultural Resources Element. The Agricultural Resources Element establishes policies that protect the stability and productivity of agricultural lands and the agricultural industry in the County. This element provides goals and objectives that are related to the Proposed Project. Goals AR-1, AR-5, AR-8 seek to promote the agricultural industry and facilitate agricultural production. Goal AR-8 has objectives to support the Williamson Act program (Objective AR-8.1) as well as participate with wastewater generators to establish programs for agricultural reuse of treated wastewater (Objective AR-8.2, Policy AR-8f).

Open Space and Resource Conservation Element. The Open Space and Resource Conservation Element provides goals and policies for the conservation of natural resources including water, forests, soils, rivers, harbors, fisheries, wildlife, minerals, and other natural resources. It supports the county's economic base by promoting the production and use of the county's resources. It guides land use decisions that will contribute to the long term maintenance of resource production. Goal OSRC-3 calls for the conservation, enhancement, and management water resources to assure an adequate long term supply of water for domestic, fishing, industrial and agricultural use. Goal OSRC-9 seeks to protect and conserve the quality of ocean, marine and estuarine environments for their scenic, economic and environmental values, and recommends utilizing Local Coast Plan.

Sonoma County Zoning Regulations

The Zoning Regulations are the primary implementation tool for the land use policies identified in the Sonoma County General Plan. Land uses within the project area will be subject to the requirements of the Zoning Regulations under Chapter 26, which implements the goals and policies of the General Plan by identifying specific types of land uses, intensity of uses and development standards to be used in guiding the development and use of land within unincorporated areas of the County.

4.7 Recreation

4.8 Cultural Resources

The following goals, objectives, and implementation measures related to cultural resources included in the County's general plan are applicable to the Estuary Project:

Goal OSRC-19: Protect and preserve significant archaeological and historical sites that represent the ethnic, cultural, and economic groups that have lived and worked in Sonoma County, including Native American populations. Preserve unique or historically significant heritage or landmark trees.

Objective OSRC-19.1: Encourage the preservation and conservation of historic structures by promoting their rehabilitation or adaptation to new uses.

Objective OSRC-19.2: Encourage preservation of historic buildings or cemeteries by maintaining a Landmarks Commission to review projects which may affect historic structures or other cultural resources.

Objective OSRC-19.3: Encourage protection and preservation of archaeological and cultural resources by reviewing all development projects in archaeologically sensitive areas.

Objective OSRC-19.4: Identify and preserve heritage and landmark trees.

Objective OSRC-19.5: Encourage the identification, preservation, and protection of Native American cultural resources, sacred sites, places, features, and objects, including historic or prehistoric ruins, burials grounds, cemeteries, and ceremonial sites. Ensure appropriate treatment of Native American and other human remains discovered during a project.

Objective OSRC-19.6: Develop and employ procedures to protect the confidentiality and prevent inappropriate public exposure of sensitive archaeological resources and Native American cultural resources, sacred sites, places, features, or objects.

Policy OSCR-19a: Designate the County Landmarks Commission to review projects within designated historic districts.

Policy OSCR-19b: Refer proposals for County Landmark status and rezoning to the Historic Combining District to the County Landmarks Commission.

Policy OSCR-19c: The County Landmarks Commission shall review Historic Building Surveys and make recommendations for designation of structures or cemeteries as county landmarks.

Policy OSCR-19d: Include a list of historic structures proposed for designation as County landmarks in Specific or Area Plans or Local Area Development Guidelines and refer the list to the Landmarks Commission for their recommendations.

Policy OSCR-19e: Refer applications which involve the removal, destruction or alteration of a structure or cemetery identified in a historic building survey to the Landmarks Commission for mitigation. Measures may include reuse, relocation, or photo-documentation.

Policy OSCR-19f: Use the Heritage or Landmark Tree Ordinance and the design review process to protect trees.

Policy OSCR-19g: Pursue grant funding for the preparation and updating of historic resource inventories.

Policy OSCR-19h: Designate the County Landmarks Commission to administer a preservation program for stabilization, rehabilitation, and restoration of historic structures.

Policy OSCR-19i: Develop a historic resources protection program that provides for an ongoing process of updating the inventory of historic resources. Such a program should include:

1. Periodic historic building surveys,
2. Formalized recognition of the inventory of historic resources as recommended by the State Office of Historic Preservation, including rezoning to the Historic Combining District, and
3. Procedures for the protection of recognized historic resources for both ministerial and discretionary permits.

Policy OSCR-19j: Develop an archaeological and paleontological resource protection program that provides:

1. Guidelines for land uses and development on parcels identified as containing such resources,
2. Standard project review procedures for protection of such resources when discovered during excavation and site disturbance, and
3. Educational materials for the building industry and the general public on the identification and protection of such resources.

Policy OSCR-19k: Refer applications for discretionary permits to the Northwest Information Center to determine if the project site might contain archaeological or historical resources. If a site is likely to have these resources, require a field survey and preparation of an archaeological report containing the results of the survey and include mitigation measures if needed.

Policy OSCR-19l: If a project site is determined to contain Native American cultural resources, such as sacred sites, places, features, or objects, including historic or prehistoric ruins, burial grounds, cemeteries, and ceremonial sites, notify and offer to consult with the tribe or tribes that have been identified as having cultural ties and affiliation with that geographic area.

Policy OSCR-19m: Develop procedures for consulting with appropriate Native American tribes during the General Plan adoption and amendment process.

Policy OSCR-19n: Develop procedures for complying with the provisions of State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, if applicable, in the event of the discovery of a burial or suspected human bone. Develop procedures for consultation with the Most Likely Descendant as identified by the California Native American Heritage Commission, in the event that the remains are determined to be Native American.

4.9 Noise

Refer to discussion in **Chapter 4.0, Environmental Setting, Impacts, and Mitigation Measures**. Local policies are not extracted because they are directly incorporated into the impact analysis.

4.10 Air Quality

The *Sonoma County General Plan's* Resource Conservation Element includes goals and policies regarding the protection and enhancement of air quality in the region. The County's goal in maintaining air quality is to "Preserve and maintain good air quality and provide for an air quality standard that will protect human health and preclude crop, plant, and property damage in accordance with the requirement of the federal and State Clean Air Acts" (Sonoma County, 2008). The General Plan Resource Conservation Element contains the following objectives and policies that would generally be applicable to the Estuary Project:

Objective OSRC-16.1: Minimize air pollution and greenhouse gas emissions.

Objective OSRC-16.2: Encourage reduced motor vehicle use as a means of reducing resultant air pollution.

Policy OSCR-16i: Ensure that any proposed new source of toxic air contaminants or odors provide adequate buffers to protect sensitive receptors and comply with applicable health standards. Promote land use compatibility for new development by using buffering techniques such as landscaping, setbacks, and screening in areas where such land uses abut one another.

Sonoma County has taken a leadership role in climate protection by being the first county in the nation where 100 percent of its cities and the County pledged by resolution to reduce both GHG and air pollution emissions throughout the community, and by being the first county in the nation where 100 percent of its cities and the County determined their baseline GHG emissions for municipal operations. Sonoma County released its Community Climate Action Plan in October

2008. This plan presents a number of solutions to reduce countywide GHG emissions by 25 percent below 1990 levels by 2015. These solutions focus on reductions in four sections: Electricity and Natural Gas, Transportation and Land Use, Agriculture and Forests, and Solid Waste (CPC, 2008).

4.11 Traffic

The circulation and transit goals, objectives, and policies expressed in the preceding sections are countywide in scope. In addition, there are circulation and transit issues that are applicable to specific planning areas or smaller geographic portions of the county. This section includes those policies, organized by Planning Area.

The Circulation Element of the *Sonoma County General Plan 2020* establishes goals, policies, and objectives both countywide and for specific planning areas or smaller geographic portions of the county. These goals, policies, and objectives are established to maintain and improve traffic infrastructure and conditions within the project area. The following goals are countywide in scope. Goal 2.5 of the Circulation Element requires the County to provide and maintain a highway system capacity that serves projected highway travel demand at acceptable levels of service in keeping with the character of rural and urban communities. The County will implement the following objectives:

Objective CT-3.1: Maintain level of service (LOS) C or better on roadway segments unless a lower LOS has been adopted as shown on Figure CT-3.

Objective CT-3.2: Maintain LOS D or better at roadway intersections.

Objective CT-3.3: Allow the above LOS to be exceeded if it is determined to be acceptable due to environmental or community values, or if the project(s) has an overriding public benefit that outweighs lower levels of service and increased congestion.

4.12 Hazards and Hazardous Materials

Refer to discussion in **Chapter 4.0, Environmental Setting, Impacts, and Mitigation Measures**.

4.13 Public Services and Utilities and Public Safety

The Public Facilities and Services Element in the *Sonoma County General Plan 2020* addresses management of public services, including water, wastewater management, public education, parks and recreation, fire protection, solid waste management, and utilities. The goals, policies, and objectives are primarily focused on maintenance and provision of services, with respect to population growth. Rural development in the project area is heavily reliant on groundwater supplies and septic sewer systems, and is not connected to major municipal infrastructure systems; therefore, the following policies are identified for consideration of this project.

Policy PF-1f: Avoid extension of public sewer services outside of either a sphere of influence adopted by LAFCO² or the Urban Service Area. To the extent allowed by law, consider exceptions to this policy only: (1) Where necessary to resolve a public health hazard resulting from existing development.

Policy PF-1h: Avoid extension of public water service to a property that is outside of both the Urban Service Area and the water provider's sphere of influence adopted by LAFCO. Consider exceptions to this policy, to the extent allowed by law, only: (1) Where necessary to resolve a public health hazard resulting from existing development such as failing wells or groundwater contamination (Sonoma County, 2008).

4.14 Aesthetics

The Open Space and Resource Conservation Element of the *Sonoma County General Plan 2020* (Sonoma County 2008) established the regulatory framework for protecting, preserving, and enhancing scenic landscape features. The following goals and objectives address scenic landscape units, highways, and corridors.

GOAL OSRC-2: Retain the largely open, scenic character of important Scenic Landscape Units.

Objective OSRC-2.1: Retain a rural, scenic character in Scenic Landscape Units with very low intensities of development. Avoid their inclusion within spheres of influence for public service providers.

Objective OSRC-2.2: Protect the ridges and crests of prominent hills in Scenic Landscape Units from the silhouetting of structures against the skyline.

Objective OSRC-2.3: Protect hills and ridges in Scenic Landscape Units from cuts and fills.

GOAL OSRC-3: Identify and preserve roadside landscapes that have a high visual quality as they contribute to the living environment of local residents and to the County's tourism economy.

Objective OSRC-3.1: Designate the Scenic Corridors on Figures OSRC-5a through OSRC-5i along roadways that cross highly scenic areas, provide visual links to major recreation areas, give access to historic areas, or serve as scenic entranceways to cities.

Objective OSRC-3.2: Provide guidelines so future land uses, development and roadway construction are compatible with the preservation of scenic values along designated Scenic Corridors.

Additionally, Highway 116 route is protected by the *Highway 116 Scenic Highway Study*, which includes policies and standards to protect the unique rural character of this route.

² LACFCO is an acronym representing Local Agency Formation Commission.