

RESOLUTION NO. 6580-2024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL CERTIFY THE ENVIRONMENTAL IMPACT REPORT (EIR) AND ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR THE PROPERTY AT 1009 AND 1011 GRAVENSTEIN HIGHWAY NORTH (APN 060-261-026, 060-261-028)

WHEREAS, the City of Sebastopol completed a comprehensive General Plan update with adoption of a new General Plan on November 15, 2016; and

WHEREAS, the City of Sebastopol completed a Housing Element Update to the General Plan with adoption of a new Housing Element on January 3, 2023, and Certified by the State of California Department of Housing and Community Development (HCD) on March 7, 2023; and,

WHEREAS, an application for a Conditional Use Permit for residential development in a Office Light Industrial district, a State Density Bonus for building height, and a Vesting Tentative Map for an 80-Unit townhome project known as Canopy (the "Project"), was filed on November 9, 2022, by Samantha Hauser / City Ventures, which consists of subdividing two vacant parcels, 6.1 acres (APN 060-261-026, 060-261-028) into a two-lot subdivision with a condominium map for 80 units plus common areas, with 107,200 square feet of private open space. The Project will develop 80 townhome units, landscaped areas, and parking. Parking will be provided via a surface parking lot on site as well as garage parking for all of the units; and

WHEREAS, the Project was the subject of an Environmental Impact Report prepared in compliance with the California Environmental Quality Act (CEQA), which was circulated for public comment from December 7, 2023 to January 24, 2024, including CEQAnet and the Federated Indians of the Graton Rancheria, consistent with local and State CEQA requirements;

WHEREAS, two comments were received from State agencies (CalTrans and Department of Toxic Substances) and are included within the Final EIR response to comments, and no tribal consultation pursuant to California Public Resources Code Section 21080.3.1 was requested by the Federated Indians of Graton Rancheria; and

WHEREAS, thirteen written public comments and one written memo of comments received via phone call were received related to the Draft Environmental Impact Report component of the Project; and

WHEREAS, the Environmental Impact Report identifies significant impacts reduced to less than significant with the implementation of mitigation measures for the following sections; Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and

Soil, Greenhouse Gas, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Transportation, and Tribal Cultural Resources; and

WHEREAS, there are available feasible mitigation measures listed below that would reduce these impacts below less than significant and would be applied to the Project as conditions of approval refer to the MMRP (Exhibit D) for the full mitigation measures identified in the Final EIR and adopted and incorporated into the project:

- 1. Aesthetics Impact AES-2.** The proposed project would not substantially damage scenic resources including trees, rock outcroppings, or historic buildings within view of a state scenic highway. Potentially significant impacts related to trees would be reduced to a less than significant level with implementation of Mitigation Measure BIO-2.
- 2. Aesthetics Impact AES-4.** The proposed project would introduce nighttime light sources associated with lighting of proposed buildings and could introduce glare associated with onsite residences and associated passenger vehicles. The project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area. Potentially significant impacts related to outdoor lighting would be reduced to a less than significant level with Mitigation Measure AES-4.
- 3. Air Quality Impact AQ-3.** The project would not increase carbon monoxide concentrations such that it would create carbon monoxide hotspots. However, project construction could potentially expose sensitive receptors to substantial pollutant concentrations in the form of toxic air contaminant emissions given the proximity to surrounding and future onsite sensitive receptors. Potentially significant impacts would be reduced to a less than significant level with implementation of Mitigation Measure AQ-1.
- 4. Biological Resources Impact BIO-1.** The project would have the potential to result in a substantial adverse effect on special status animal species. Potentially significant impacts would be reduced to a less than significant level with implementation of Mitigation Measure BIO-1(a), BIO-1(b), and BIO-1(c).
- 5. Biological Resources Impact BIO-3.** The project could conflict with the City of Sebastopol Municipal Code tree protection ordinance. Potentially significant impacts would be reduced to a less than significant level with implementation of Mitigation Measure BIO-2.
- 6. Cultural Resource Impact CUL-2.** Grading and excavation required for the proposed project would have the potential to unearth and adversely change or damage previously unidentified historical and archaeological resources. Potentially significant impacts would be reduced to a less than significant level with implementation of Mitigation Measure CUL-2.
- 7. Geology and Soils Impact GEO-1.** The project has the potential to significantly impact paleontological resources. Potentially significant impacts would be reduced to a less than significant level with implementation of Mitigation Measure GEO-1.
- 8. Greenhouse Gas Impact GHG-1.** The proposed project would be consistent with

BAAQMD's GHG thresholds for buildings and transportation with implementation of Mitigation Measure GHG-1. Therefore, the project would not generate GHG emissions that may have a significant impact on the environment. Potentially significant impacts related to electrical vehicle parking requirements would be reduced to a less than significant level with implementation of Mitigation Measure GHG-1 and in accordance with CALGreen Tier 2.

- 9. Hazards and Hazardous Materials Impact HAZ-2.** Sebastopol Independent Charter School is located within 0.25 mile of the proposed project. The proposed project would not emit or handle hazardous or acutely hazardous materials. Potentially significant impacts would be reduced to a less than significant level with implementation of Mitigation Measure HAZ-3(b).
- 10. Hazards and Hazardous Materials Impact HAZ-3.** While not listed on Government Code Section 65962.5(a), which constitutes DTSC's portion of the Cortese List, the project site is associated with an active Voluntary Agreement cleanup case with regulatory agency oversight by the DTSC (DTSC 2023a). There are known hazardous material impacts to soil at the project site. However, compliance with applicable regulations and mitigation for impacts from potential soil and/or groundwater contamination at the project site would minimize hazards from the proposed project. Potentially significant impacts would be reduced to a less than significant level with implementation of Mitigation Measures HAZ-3(a) and HAZ-3(b).
- 11. Hydrology and Water Quality Impact HYD-5.** The proposed project would alter drainage patterns and increase runoff in the area but would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional polluted runoff. Potentially significant impacts would be reduced to a less than significant level with implementation of Mitigation Measures HAZ-3(a) and HAZ-3(b).
- 12. Hydrology and Water Quality Impact HYD-6.** The proposed project would not conflict with or obstruct the North Coast RWQCB Basin Plan or Santa Rosa Plain Subbasin GSP, pursuant to compliance with applicable water quality regulations. Potentially significant impacts would be reduced to a less than significant level with implementation of Mitigation Measures HAZ-3(a) and HAZ-3(b).
- 13. Noise Impact NOI-1.** Construction of the project would temporarily increase ambient noise levels, but noise levels would not exceed applicable standards. Ambient noise in the project vicinity would increase from on-site activities and increased traffic. Traffic noise increases would be less than significant. operational stationary source noise would exceed standards established by the City. Potentially significant impacts would be reduced to a less than significant level with implementation of Mitigation Measure NOI-1.
- 14. Transportation Impact TRA-1.** The project would conflict with General Plan Action CIR 1f relating to pedestrian facilities. Incorporation of Mitigation Measure TRA-1 would ensure compliance with all relevant plans, programs, ordinances and policies. Potentially significant impacts would be reduced to a less than significant level with implementation of Mitigation Measure TRA-1.

**15. Tribal Cultural Resources Impact TCR-1.** Grading and excavation required for the proposed project would have potential to unearth and impact or damage Tribal Cultural Resources. Potentially significant impacts would be reduced to a less than significant level with implementation of Mitigation Measure TCR-1.

WHEREAS, the Project complies with CEQA Guidelines Section 15090 as detailed below:

- a. Prior to approving a project the lead agency shall certify that:
  - a. The final EIR has been completed in compliance with CEQA;
  - b. The final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
  - c. The final EIR reflects the lead agency's independent judgment and analysis.

WHEREAS, the project complies with CEQA Guidelines Section 15091 as detailed below:

- a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
  - a. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
    - i. *In that the attached Mitigation Monitoring Responsibility Program (MMRP) labeled Exhibit D requires modifications to mitigate potential significant environmental effects; the MMRP, and*
  - b. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
    - i. *In that the attached Mitigation Monitoring Responsibility Program identifies the City Department or outside agency responsible monitoring the mitigation.*
  - c. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
    - i. *in that no mitigations required to reduce any potentially significant impacts to less than significant are found to be infeasible.*
- b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
  - a. *In that the project will be required to submit the final subdivision map to the City Engineer for approval pursuant to the Subdivision Map Act.*
- c) The finding in subdivision (a)(2) shall not be made if the agency making the

finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

- d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
  - a. *In that the attached Mitigation Monitoring Responsibility Program is attached to this Resolution as Exhibit D.*
- e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.
  - a. *In that a copy of the Final EIR and MMRP's will be on file with the City of Sebastopol Planning Department for public viewing.*

WHEREAS, on August 21, 2019, the Design Review Board and on October 8, 2019, the Planning Commission conducted a preliminary review of the proposed project, heard public comment, and provided comments to the applicant; and

WHEREAS, on January 23<sup>rd</sup>, 2024, the Planning Commission held a duly noticed public hearing to receive comments on the Draft Environmental Impact Report; and,

WHEREAS, on March 12, 2024, the Planning Commission held a duly noticed public hearing to review the proposed residential development with the following entitlements of a use permit, tentative map, and density bonus for building height, and the Final Environmental Impact Report, heard a staff report and public testimony, and deliberated; and,

WHEREAS, The City of Sebastopol Planning Commission adopted Resolution 24-02 recommending the Certification of the Final Environmental Impact Report for the "Canopy" Project (the "Project") located at 1009 and 1011 Gravenstein Highway North based on the findings of fact of the adopting Resolution No. 24-02. And,

WHEREAS, the City of Sebastopol Planning Commission also adopted Planning Commission Resolution 24-03 recommending the City Council approve the use permit, Tentative Map, and Density Bonus for building height entitlements, subject to Exhibit A, Findings in Resolution 24-03, Exhibit B Specific Conditions of Approval, as modified by the Planning Commission, and Exhibit C Standard Conditions of Approval.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Sebastopol, California, hereby adopt this Resolution Certifying the Environmental Impact Report and adopting findings of fact pursuant to the California Environmental Quality Act as set forth

above, with the mitigation measures set forth above and in the Environmental Impact Report, which are hereby incorporated into the Project and made Conditions of the Project.

The above and foregoing Resolution was duly passed, approved and adopted at a meeting by the City Council on the 2<sup>nd</sup> day of April 2024, by the following vote:

**VOTE:**

Ayes: Councilmembers Hinton, McLewis, Vice Mayor Zollman and Mayor Rich  
Noes: Councilmember Maurer  
Abstain: None  
Absent: None

APPROVED: \_\_\_\_\_

DocuSigned by:  
*Diana Rich*  
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Diana Gardner Rich, Mayor

ATTEST: \_\_\_\_\_

*Mary E. Gourley*

Mary Gourley, Assistant City Manager/City Clerk,

MMC

APPROVED AS TO FORM: \_\_\_\_\_

DocuSigned by:  
*Larry McLaughlin*  
CB4B803B3368413...

Larry McLaughlin, City Attorney

**Attachments:**

Exhibit D: Mitigation Monitoring Reporting Program

## **Mitigation Monitoring and Reporting Program**

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The Environmental Impact Report (EIR) for The Canopy Project (project) identifies the mitigation measures required to reduce the environmental impacts associated with the project. The California Environmental Quality Act (CEQA) requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in Section 21081.6(a)(1) of the Public Resources Code:

“the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.”

Section 21081.6 also provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined as part of making findings or adopting a mitigated negative declaration. The mitigation monitoring table lists the identified mitigation measures for the project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The first column, “Mitigation Measure”, identifies mitigation measures that were identified in the EIR. The second column, “Action Required,” refers to the monitoring action that must be taken to ensure the implementation of the mitigation measure. The third column, “Timing,” refers to when the monitoring will occur to ensure that the mitigation action is complete. The fourth column, “Frequency”, refers to how often the mitigation will be implemented. The fifth column, “Responsibility,” refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The remaining “Compliance Verification” columns are where the City verifies that the measures have been implemented.

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Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
					Initial	Date	Comments
<b>Air Quality</b>							
<b>AES-4 Lighting Specifications</b>							
Exterior lighting installed on the project site must be of low intensity, low glare design, and must be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels and must otherwise meet dark night sky requirements. Exterior lighting fixtures must be kept to the minimum number and intensity needed to ensure public safety. Upward directed exterior lighting is prohibited. The final lighting plan must be amended to include identification of all types, sizes, and intensities of wall mounted building lights and landscape accent lighting, and a photometric map must be provided.	Confirm lighting meets the requirements of the General Plan and design guidelines.	After the completion of construction activities.	Once	City of Sebastopol Planning Department			
<b>Air Quality</b>							
<b>AQ-1 Construction TACs Reduction</b>							
The applicant and project engineer shall include the measures listed below on the grading plan, building plans, and specifications. Prior to issuance of grading permits, the City Engineer and the Chief Building Official shall confirm that the grading plan, building plans, and specifications stipulate that the measures listed below shall be implemented during project construction. The construction contractor shall implement these measures for the duration of construction.	Confirm construction contractors implement applicable construction measures throughout the duration of construction activities.	Prior to and during the duration of construction activities	Once prior to the issuance of grading permits, then periodically throughout construction activities.	City of Sebastopol Planning Department			
1. All mobile off-road equipment (wheeled or tracked) used during construction activities shall meet the USEPA Tier 4							



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Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
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<p>final standards. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Final standards.</p> <p>2. Alternative Fuel (natural gas, propane, electric, other non-diesel fuels) construction equipment shall be incorporated where available. These requirements shall be incorporated into the contract agreement with the construction contractor. A copy of the equipment's certification or model year specifications shall be available upon request for all equipment on-site.</p> <p>3. Electricity shall be supplied to the site from the existing power grid to support the electric construction equipment. If connection to the grid is determined to be infeasible for portions of the project, a non-diesel fueled generator shall be used.</p>							

Biological Resources							
<b>BIO-1(a) Western Bumble Bee Preconstruction Survey</b>							
<p>A qualified biologist(s) shall conduct a pre-construction survey for western bumble bee prior to the onset of work activities at the project site. The pre-construction survey effort shall be conducted for a minimum of one hour. If bumble bees of any species are</p>	<ul style="list-style-type: none"> <li>Confirm preconstruction survey is conducted prior to the start of construction activities.</li> <li>If construction occurs during March 1 through November 1, confirm a</li> </ul>	<p>Prior to and during the duration of construction activities</p>	<p>Once prior to the start construction activities as needed if bumble bees are identified.</p>	<p>City of Sebastopol Planning Department</p>			

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Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
					Initial	Date	Comments
<p>observed, they shall be photographed for identification following the USFWS guidance in Appendix A <i>Standardized Bee Photography in the Survey Protocols for the Rusty Patched Bumble Bee (Bombus affinis)</i> (USFWS 2019). If construction begins between March 1 and November 1, the ground shall also be searched during the survey for active bumble bee colonies. No capture or handling of bumble bees shall be conducted, and western bumble bee, if identified, shall be avoided during construction. Foraging bees shall be allowed to leave work areas undisturbed.</p>	<p>ground survey is completed.</p> <ul style="list-style-type: none"> <li>If bumble bees are found during the pre-construction survey, confirm they are photographed for identification and avoided during construction.</li> </ul>						
<p><b>BIO-1(b) Roosting Bat Surveys and Avoidance Prior to Removal</b></p>							
<p>Prior to tree removal or ground disturbance, a qualified biologist shall conduct a focused survey of all trees within the project site, to determine whether active roosts of special status bats are present. If tree removal is planned for the fall or winter, the survey shall be conducted in September to ensure tree removal would have adequate time to occur outside periods of hibernation and during seasonal periods of bat activity (March 1 to April 15, September 1 to October 15, or in any month when evening temperatures rise above 45 degrees Fahrenheit and/or no more than 0.5 inch of rainfall within 24 hours occurs, as described below). If tree removal is planned for the spring, then the survey shall be conducted during the earliest feasible time in March to allow for suitable conditions for the detection of bats, and</p>	<p>During tree removal or ground disturbance, the City shall ensure that a qualified biologist has conducted a survey to detect active bat roosts. If roosts are present, construction will commence only after the City approves a roosting bat protection plan or proper bat boxes are installed when large amounts of bats are present.</p>	<p>Prior to construction</p>	<p>Once</p>	<p>City of Sebastopol Planning Department</p>			

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Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
					Initial	Date	Comments
<p>subsequent tree removal. Trees containing suitable potential bat roost habitat features shall be clearly marked or identified. If day roosts are found to be potentially present, the biologist shall prepare a site-specific roosting bat protection plan to be implemented by the contractor following the City's approval. The plan shall incorporate the following guidance as appropriate:</p> <ol style="list-style-type: none"> <li>1. When feasible, removal of trees and structures identified as suitable roosting habitat shall be seasonally timed to avoid disturbance during the hibernation and breeding seasons, including the following:                             <ol style="list-style-type: none"> <li>a) Between September 1 and about October 15, or before evening temperatures fall below 45 degrees Fahrenheit and/or more than 0.5 inch of rainfall within 24 hours occurs.</li> <li>b) Between March 1 and April 15, or after evening temperatures rise above 45 degrees Fahrenheit and/or no more than 0.5 inch of rainfall within 24 hours occurs.</li> </ol> </li> <li>2. If a tree must be removed during the breeding season and is identified as potentially containing a maternity roost, then a qualified biologist shall conduct visual or acoustic</li> </ol>							

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Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
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<p>emergence surveys or implement other appropriate methods as determined by the biologist to further evaluate if the roost is an active maternity roost. If it is determined that an active maternity roost of a colonial roosting species is present, the roost shall not be disturbed during the breeding season (April 15 to August 31). If it is determined to not be an active maternity roost, the tree or structure may be removed under the guidance of the qualified biologist.</p> <p>3. Potential non-colonial hibernation roosts shall only be removed during seasonal periods of bat activity outside the hibernation and breeding seasons. Potential non-colonial roosts that cannot be avoided shall be removed on warm days in late morning to afternoon when any bats present are likely to be warm and able to fly. Appropriate methods as determined by the qualified biologist shall be used to minimize the potential harm to bats during tree or structure removal. For trees, such methods may include using a two-step tree removal process. This method is conducted over two consecutive days and works by creating noise and</p>							

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vibration by cutting non-habitat branches and limbs from habitat trees using chainsaws only (i.e., no excavators or other heavy machinery) on the first day with the remainder of tree removal occurring on the second day.							
<b>BIO-1(c) Nesting Bird Survey</b>							
If construction, vegetation trimming, or tree removals are scheduled to occur during the nesting bird season (February 1 through August 31), the project applicant shall retain a qualified biologist to conduct a pre-construction nesting bird survey no more than 14 days prior to the start of construction to determine the presence/absence of nesting birds and raptors within the project site and adjacent areas. The survey shall include the entire site plus a 100-foot buffer, as accessible. If active nests are found, the qualified biologist shall establish an appropriate avoidance buffer, considering the species sensitivity and physical location of the nest (e.g., line of site to the work area), to comply with CFGC 3503 and 3503.5. The buffer shall be at least 50 feet for non-raptor bird species and 250 feet for raptor species, unless a smaller buffer is determined protective of nesting birds by the qualified biologist. To prevent encroachment, the established buffer(s) shall be clearly marked by high visibility material installed by the contractor. The established buffer(s) shall remain in	<ul style="list-style-type: none"> <li>• If initial ground disturbance occurs during February 1 through August 31, confirm a qualified biologist has been retained to conduct a nesting bird pre-construction survey in the disturbance footprint and buffer area.</li> <li>• Confirm a report of the nesting bird and raptor survey results is submitted to the City.</li> <li>• If nests are found during the pre-construction survey, confirm the locations are flagged and mapped, and confirm avoidance buffers are established.</li> <li>• Confirm that all construction work is conducted outside the established avoidance buffers.</li> </ul>	<ul style="list-style-type: none"> <li>• Prior to construction: Confirm initial ground disturbance timing; confirm retention of qualified biologist for pre-construction surveys, confirm a report detailing results of the nesting bird and raptor surveys is submitted to the City (prior to grading activities), confirm identified nests are flagged and mapped, confirm avoidance buffers are established.</li> <li>• During construction: confirm retention</li> </ul>	Once: confirm construction start date; confirm retention of biologist; confirm pre-construction survey is completed; confirm survey results report is submitted; confirm identified nests are flagged and mapped; confirm retention of biologist for on-site monitoring, if required.	City of Sebastopol Planning Department			

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Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
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effect until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist. The City shall review and approve the biologists' findings and buffer during construction, as appropriate.		of qualified biologist for on-site monitoring, if required.					
<b>BIO-2 Tree Replacement</b>							
All protected ordinance-sized trees removed from the project site shall be replaced as appropriate for the size class and species of the tree removed, based on the City of Sebastopol tree mitigation requirements for protected native trees, as determined by the Tree Board or the City Arborist. Two replacement trees shall be either planted onsite for each protected tree removed or at a City-approved offsite location, or a fee of \$75 per replacement tree would be provided to the City of Sebastopol tree fund in-lieu for off-site tree planting in the community. If onsite/offsite planting is implemented, a replacement tree planting plan shall be approved by the City along with landscape plans prior to Project implementation	<ul style="list-style-type: none"> <li>• Confirm that all protected trees are replaced in accordance with City requirements.</li> <li>• Confirm that all removed trees are replaced by two trees onsite, an approved offsite location, or an in-lieu fee is paid.</li> <li>• Confirm City approval of landscape plans</li> </ul>	Prior to project implementation	Once	<ul style="list-style-type: none"> <li>• City of Sebastopol Tree Board</li> <li>• City of Sebastopol Arborist/Planning Department</li> </ul>			
<b>Cultural Resources</b>							
<b>CUL-2 Archaeological Resources Assessment, Evaluation, and Treatment</b>							
In the event that archaeological resources are unexpectedly encountered during ground-disturbing construction activities, the construction contractor shall halt work within 100 feet of the find, and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983) shall be contacted immediately to	<ul style="list-style-type: none"> <li>• Confirm work is halted if any archaeological resources are identified during project construction, until the resource can be evaluated by a qualified archaeologist and the Native American monitor.</li> </ul>	<ul style="list-style-type: none"> <li>• Confirm work is halted if a resource is identified and evaluated during construction.</li> <li>• Confirm prehistoric resources are evaluated by a</li> </ul>	As needed during construction	City of Sebastopol Planning Department			

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<p>evaluate the find, as well as the Sebastopol Planning Department. If the find is determined by the qualified archaeologist to be Native American in origin, then a Native American representative shall also be contacted to participate in the evaluation of the find. If necessary, archaeological testing for CRHR eligibility shall be completed. If the discovery proves to be eligible for the CRHR and impacts to the resource cannot be avoided via project redesign, a qualified archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the deposit, per the requirements of PRC Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources. Pursuant to the data recovery plan, the qualified archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The City shall review and, in consultation with approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the California Historical Resources Information System, per PRC Section 15126.4(b)(3)(C).</p>	<ul style="list-style-type: none"> <li>Ensure that all identified prehistoric resources are also evaluated by a Native American representative.</li> </ul>	<p>Native American monitor following discovery.</p>					

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Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
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<b>Geology and Soils</b>							
<b>GEO-1 Paleontological Resources Monitoring and Mitigation</b>							
<p><b>Qualified Professional Paleontologist.</b>                      Prior to excavation, City Ventures shall retain a Qualified Professional Paleontologist, as defined by the Society of Vertebrate Paleontology (SVP; 2010). The Qualified Professional Paleontologist shall draft a Paleontological Resources Mitigation and Monitoring Plan, which shall direct all mitigation measures related to paleontological resources.</p> <p><b>Paleontological Worker Environmental Awareness Program.</b>                      Prior to the start of construction, the Qualified Professional Paleontologist or their designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction personnel.</p> <p><b>Paleontological Monitoring.</b>                      Full-time paleontological monitoring shall be conducted during ground disturbing construction activities within previously undisturbed sediments. Paleontological monitoring shall be conducted by a paleontological monitor with experience with collection and salvage of paleontological resources and who meets the minimum standards of the SVP (2010) for a Paleontological Resources Monitor. The Qualified Professional Paleontologist may</p>	<ul style="list-style-type: none"> <li>Confirm a Paleontological Resources Mitigation and Monitoring Plan has been prepared.</li> <li>Confirm WEAP training has been conducted.</li> <li>Confirm paleontological monitoring occurs and work is halted if any paleontological resources are identified during project construction, until the resource can be evaluated by a qualified paleontologist.</li> <li>Confirm any paleontological resource discovered during construction is examined by a Qualified Professional Paleontologist and mitigated appropriately.</li> <li>Confirm City receipt of a Final Paleontological Mitigation Report.</li> </ul>	<ul style="list-style-type: none"> <li>Draft a Paleontological Resources Mitigation and Monitoring Plan prior to excavation.</li> <li>Conduct WEAP training prior to the start of construction.</li> <li>Monitor during the duration of ground disturbing activities.</li> <li>Prepare the final report upon completion of ground-disturbing.</li> </ul>	<p>Prior to the start of construction activities, during the duration of ground disturbing activities, and then as needed during construction</p>	<p>City of Sebastopol Planning Department</p>			



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Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
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<p>recommend that monitoring be reduced in frequency or ceased entirely based on geologic observations. Such decisions shall be subject to review and approval by the City of Sebastopol. In the event of a fossil discovery by the paleontological monitor or construction personnel, all construction activity within 50 feet of the find shall cease, and the Qualified Professional Paleontologist shall evaluate the find. If the fossil(s) is (are) not scientifically significant, then construction activity may resume. If it is determined that the fossil(s) is (are) scientifically significant, the following shall be completed:</p> <ul style="list-style-type: none"> <li> <b>Fossil Salvage.</b> The paleontological monitor shall salvage (i.e., excavate and recover) the fossil to protect it from damage/destruction. Typically, fossils can be safely salvaged quickly by a single paleontological monitor with minimal disruption to construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. Bulk matrix sampling may be necessary to recover small invertebrates or microvertebrates from within paleontologically sensitive deposits. After the fossil(s) is (are) salvaged, construction activity may resume.                 </li> <li> <b>Fossil Preparation and Curation.</b> Fossils shall be identified to the lowest (i.e., most-specific) possible taxonomic level, prepared to a curation-ready condition, and                 </li> </ul>							

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<p>curated in a scientific institution with a permanent paleontological collection along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Qualified Professional Paleontologist.</p> <p><b>Final Paleontological Mitigation Report.</b>                      Upon completion of ground-disturbing activities (or laboratory preparation and curation of fossils, if necessary), the Qualified Professional Paleontologist shall prepare a final report describing the results of the paleontological monitoring efforts. The report shall include a summary of the field and laboratory methods employed; an overview of project geology; and, if fossils were discovered, an analysis of the fossils, including physical description, taxonomic identification, and scientific significance. The report shall be submitted to the City of Sebastopol and, if fossil curation occurred, the designated scientific institution.</p>							
<b>Greenhouse Gas Emissions</b>							
<b>GHG-1 CALGreen Tier 2 EV Requirements</b>							
<p>Prior to issuance of building permits, the City Engineer and the Chief Building Official shall confirm that the applicant shall include the following design feature as part of the project to be consistent with CALGreen Tier 2 EV standards:</p>	<p>Confirm project design includes a minimum of 15 percent of total parking spaces be equipped with EV charging stations.</p>	<p>Prior to issuance of building permits</p>	<p>Once</p>	<p>City of Sebastopol Building Department</p>			

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A minimum of 15 percent of the total number of parking spaces shall be equipped with EV charging stations.							
<b>Hazards and Hazardous Materials</b>							
<b>HAZ-3(a) DTSC Regulatory Agency Submittal</b>							
<p>The DTSC shall continue to be utilized for agency oversight of assessment and remediation of the project site through completion of grading and site construction activities. Prior to commencement of construction and grading activities at the project site, the project applicant shall submit the following documents to the DTSC project manager of the open Voluntary Agreement cleanup case:</p> <ul style="list-style-type: none"> <li>• Current development plan and any modifications to the development plan</li> <li>• All environmental documents completed for the project, including this EIR document</li> <li>• Any future environmental documents completed for the project</li> </ul> <p>Upon submittal of the information above, and in accordance with the project's 2023 DTSC Standard Voluntary Agreement, DTSC may require actions such as: development of subsurface investigation workplans; completion of soil, soil vapor, and/or groundwater subsurface investigations; installation of soil vapor or groundwater monitoring wells; soil excavation and offsite disposal; completion of human health risk assessments; and/or completion of remediation reports or case closure</p>	<p>Confirm applicant submits relevant cleanup case documents to the DTSC</p>	<p>Prior to the issuance of grading permits; prior to the start of construction and grading activities</p>	<p>Once</p>	<ul style="list-style-type: none"> <li>• City of Sebastopol Planning Department</li> </ul>			

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documents. The DTSC approval shall be submitted to and reviewed and accepted by the City prior to issuing grading permits.							
<b>HAZ-3(b) Soil Management Plan</b>							
<p>Prior to commencement of construction and grading activities at the project site, the project applicant shall retain a qualified consultant (Professional Geologist [PG] or Professional Engineer [PE]) to prepare a Soil Management Plan (SMP) for the project site. The SMP shall address:</p> <ol style="list-style-type: none"> <li>1. On-site handling and management of impacted soils or other impacted wastes (e.g., stained soil, and soil or groundwater with solvent or chemical odors) if such soils or impacted wastes are encountered, and</li> <li>2. Specific actions to reduce hazards to construction workers and offsite receptors during the construction phase.</li> </ol> <p>The SMP must establish remedial measures and soil management practices to ensure construction worker safety, the health of future workers and residents, and prevent the off-site migration of contaminants from the project site. These measures and practices may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Stockpile management, including stormwater pollution prevention and the installation of BMPs</li> <li>• Proper disposal procedures for contaminated materials</li> </ul>	<ul style="list-style-type: none"> <li>• Confirm the applicant has retained a qualified consultant to prepare a SMP.</li> <li>• Confirm the SMP includes remedial measures and soil management practices.</li> <li>• Ensure the DTSC has reviewed and approved the SMP</li> </ul>	<p>Prior to the issuance of grading permits the City shall review</p> <p>Prior to the construction (grading) activities at the project site the DTSC shall review.</p>	<p>Once prior to the issuance of grading permits; once prior to the start of construction activities; then periodically during the duration of construction activities.</p>	<ul style="list-style-type: none"> <li>• City of Sebastopol Engineering Department</li> </ul>			

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<ul style="list-style-type: none"> <li>Investigation procedures for encountering known and unexpected odorous or visually stained soils, other indications of hydrocarbon piping or equipment, and/or debris during ground-disturbing activities</li> <li>Monitoring and reporting</li> <li>A health and safety plan for contractors working at the project site that addresses the safety and health hazards of each phase of project site construction activities with the requirements and procedures for employee protection</li> <li>The health and safety plan shall outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction.</li> </ul> <p>The DTSC shall review and approve the SMP prior to construction (grading) activities at the project site. The City shall confirm that DTSC has approved the SMP prior to issuing grading permits. The project applicant shall implement the SMP during , grading and construction at the project site.</p>							

Noise							
NOI-1	Mechanical Equipment Noise Reduction						
	<p>For outdoor condensing units (HVAC) and transformers directly adjacent to noise-sensitive receptors, provide a solid barrier with a height blocking the line-of-sight to the nearby noise-sensitive receptors. The minimum density of the barrier shall be 2 pounds per square foot with no holes or gaps. Once final</p>	<ul style="list-style-type: none"> <li>Confirm solid barriers are between sensitive receptors and HVAC and/or transformers.</li> <li>Confirm an acoustical analysis is conducted prior to final design to verify compliance with the City's</li> </ul>	Once after final equipment selection is made.	Once	City of Sebastopol Planning Department		

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Mitigation Measure	Action Required	Timing	Frequency	Responsibility	Compliance Verification		
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equipment selection is made, an acoustical analysis of the noise from project mechanical and electrical equipment to surrounding properties must be completed by a qualified acoustical consultant prior to final design to verify compliance with the City's nighttime exterior noise standard of 45 dBA.	nighttime exterior noise standard of 45 dBA.						
<b>Transportation</b>							
<b>TRA-1 Pedestrian Connectivity and Safety</b>							
A new pedestrian path shall be added to link the project and mixed commercial office park to the new HAWK crossing across the north leg of the intersection of SR 116/Danmar Drive before an occupancy permit is issued.	Confirm a new pedestrian pathway is added to the project.	Prior to issuance of an occupancy permit.	Once	City of Sebastopol Planning Department			
<b>Tribal Cultural Resources</b>							
<b>TCR-1 Suspension of Work Around Tribal Cultural Resources</b>							
If cultural resources of Native American origin are identified during implementation of the proposed project, all earth-disturbing work within 50 feet of the find shall cease and desist until an archaeologist has evaluated the nature and significance of the find as a cultural resource and an appropriate local Native American representative is consulted. Staking of the area of discovery will be implemented with stakes no more than 10 feet apart, forming a circle having a radius of no less than 100 feet from the point of discovery. If the City, in consultation with local Native American tribes, determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in	<ul style="list-style-type: none"> <li>Confirm work is halted within 50 feet of any identified cultural resource of Native American origin during construction, until the resource can be evaluated by a local Native American representative.</li> <li>Confirm a mitigation plan is prepared and implemented if the City and local Native American representative determine the identified resources is a tribal cultural resource.</li> </ul>	<ul style="list-style-type: none"> <li>Confirm work is halted if a cultural resource of Native American origin is identified during construction.</li> <li>Confirm a mitigation plan is prepared and implemented following determination that a discovery is a tribal cultural resource.</li> </ul>	As needed during construction	City of Sebastopol Planning Department			

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<p>accordance with state guidelines and in consultation with local Native American group(s). The plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal representative and, if applicable, a qualified archaeologist. Examples of appropriate mitigation for tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resource, protecting traditional use of the resource, protecting the confidentiality of the resource, or heritage recovery.</p>							