

PC RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEALDSBURG APPROVING MAJOR DESIGN REVIEW DR 2022-03, CONDITIONAL USE PERMIT CUP 2022-02, RIPARIAN SETBACK VARIANCE V 2022-01, AND HERITAGE TREE PERMIT HT 2022-01 TO ALLOW THE REHABILITATION OF THE EXISTING 13,300 SQUARE FOOT 1922 CERRI WAREHOUSE BUILDING TO ACCOMMODATE THE FOLEY FAMILY COMMUNITY PAVILION AND PUBLIC PARKING LOT ON A 1.05-ACRE SITE AND ASSOCIATED SITE IMPROVEMENTS AND LANDSCAPING LOCATED AT 3 NORTH STREET APNS (002-173-002, 003, AND 021).

WHEREAS, an application has been received from the City of Healdsburg Community Services/Parks and Recreation Department proposing a General Plan Amendment (GPA 2022-01), Land Use Code Amendment (LUA 2022-01), Major Design Review (DR 2022-03), Conditional Use Permit (CUP 2022-02), Riparian Setback Variance (V 2022-01), and a Heritage Tree Permit (HT 2022-01), for a proposal to rehabilitate the existing, approximately 13,300 square foot warehouse building to accommodate a community events pavilion to provide space for the Healdsburg Certified Farmers' Market and other community and private events on three contiguous parcels totaling 1.05 acres. The project will pave and stripe the existing gravel parking lot to include 42 surface public parking spaces. The parking lot includes a slight encroachment into the Foss Creek riparian setback and the removal of 2 Heritage trees (glossy privet) located within the existing parking lot; and

WHEREAS, in conformance with the California Environmental Quality Act ("CEQA"), a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) have been prepared for the Project, which have evaluated the development of the project site and the MND and MMRP have been recommended to the City Council for adoption by separate resolution; and

WHEREAS, by adoption of separate resolutions the Planning Commission has considered and recommended a related General Plan Amendment to the Public/Quasi Public (PQP) designation and a Land Use Code Amendment to the P-Public zoning district; and

WHEREAS, prior to acting on the Project, and at a properly noticed public hearing on March 14, 2023, the Planning Commission reviewed written and oral staff reports, took testimony and received into the record all pertinent documents related to the Project; and

WHEREAS, the Planning Commission considered all pertinent documents, including the project description and staff report, and received public comments before making its decision on the subject applications.

NOW, THEREFORE BE IT RESOLVED that the Healdsburg Planning Commission makes the findings required to approve Major Design Review DR 2022-03, Conditional Use Permit CUP 2022-02, Riparian Setback Variance V 2022-01, and Heritage Tree Permit HT

2022-01 with the Conditions of Approval and Mitigation Monitoring and Reporting Program attached hereto as Exhibit A and Exhibit B, respectively as follows:

Major Design Review Findings (DR 2022-03):

Pursuant to Land Use Code section 20.28.125, the Planning Commission makes the following findings:

1. The proposed development or use is consistent with all applicable policies and requirements of the General Plan and Land Use Code.

The proposed use is within the range of uses contemplated in the proposed (PQP) Public/Quasi Public General Plan land use designation. The proposed public community pavilion and public parking use is consistent with the anticipated uses identified in the General Plan. The project meets or exceeds all development requirements in the Land Use Code, except as permitted by the approval of a conditional use permit and a variance.

2. The proposed design of the development or use, and all appurtenant structures, is consistent with the policies set forth in the Citywide Design Guidelines, as may be amended from time to time.

The proposed project has been found to be consistent with the Citywide Design Guidelines in Chapters 4, 6, and 8. The proposed project is consistent with the scale and character of commercial, lodging, public and industrial uses found in central Healdsburg. The proposed colors and materials are compatible with the surrounding area and respect the character of the City. The front setback and the building's mass, articulation, and scale are consistent and compatible with development in the area. Therefore, the design and the proposed treatment of the historic resource is consistent with the Citywide Design Guideline's policies to promote quality, attractive design.

3. The proposed development or use is consistent with the purposes of the zoning district in which it is located.

The proposed P-Public zoning district designation implements the proposed Public/Quasi Public (PQP) land use designation of the Healdsburg General Plan. The special purposes of the district provide for the orderly establishment of public and quasi-public facilities, expansion of their operations, or change in use of lands owned by government agencies.

4. The proposed development or use is consistent with all other conditions imposed by the Planning Commission or City Council with respect to any matter related to the purpose of design review.

The property does not have any conditions that were previously placed on the site. As part of the subject project, conditions of approval have been included in the resolution that will be required to be complied with throughout the life of the project. The proposed project is subject to the Land Use Code, including allowed uses and development standards, and the

Citywide Design Guidelines. As noted above, the proposed project has been found to be consistent with the Land Use Code, and Citywide Design Guidelines and as such the proposed project is consistent with any conditions imposed by the Planning Commission or City Council.

Conditional Use Permit (CUP 2022-02)

Pursuant to Land Use Code section 20.28.165, the Planning Commission makes the following findings:

1. The proposed location and operation of the conditional use is in accord with the Healdsburg general plan and any applicable planned development, specific or area plan.

The proposed use is within the range of uses contemplated in the proposed (PQP) Public/Quasi Public General Plan land use designation.

2. The proposed location and operation of the conditional use is consistent with the applicable development standards of this Land Use Code.

The project meets or exceeds all development requirements in the Land Use Code, except as permitted by the approval of a conditional use permit and a variance.

3. The proposed location of the conditional use and the conditions under which it would be operated and maintained will not be detrimental to public health and safety or materially injurious to uses, properties or improvements in the vicinity.

The project site consists of three parcels totaling approximately 1.05 acres of relatively level land located at the northeast corner of North Street and Grove Street bounded by Foss Creek to the east and the SMART right-of-way and the Foss Creek Pathway to the west. The site contains a vacant 13,300 square foot structure known as the Cerri Brothers Warehouse Building constructed in 1922 on the western portion of the site adjacent to the SMART tracks. The center portion of the site includes three glossy privet trees (two of which are Heritage trees) and is partially developed with a gravel parking lot which is not currently in use. The eastern portion of the site includes the Harry and Maggie Wetzel Native Plant Garden and Foss Creek. Adjacent uses include the Duchamp Hotel to the north, Little Saint Restaurant to the east, public parking lot across North Street to the south and City Hall across Grove Street to the west. The Project would not significantly impact properties or improvements in the immediate vicinity of the site. An MND was prepared, and it has been determined that there will be no significant environmental effects resulting from this project, provided that the identified mitigation measures are incorporated into the Project which are included as conditions of approval.

Riparian Setback Variance (V 2022-01):

Pursuant to Land Use Code section 20.28.230, the Planning Commission makes the following findings:

1. Special Circumstances exist with the respect to the property in question, including but not limited to size, shape, topography, or surroundings.

The project includes the rehabilitation of an historic building and parking lot improvements on a site that is currently developed. The area adjacent to Foss Creek has already been restored and enhanced with the installation of the Wetzal Native Plant Garden.

2. Strict or literal interpretation and enforcement of the specified regulations would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the Land Use Code.

Strict enforcement of the 35-foot setback would require the parking lot to move west which is not possible due to the location of the existing historic building to be rehabilitated while providing for adequate parking space dimensions and aisle widths.

3. Strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.

Strict enforcement of the 35-foot setback would deprive the project from providing adequate parking and driveway access necessary to serve the public and meet project goals.

4. The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations of other properties classified in the same zoning district.

The project site includes unusual physical and historic features that preclude development entirely consistent with all the applicable regulations. The project has been designed to minimize impacts to Foss Creek and the adjacent riparian area and development is only proposed in a small area within the setback that is currently developed with the same use.

Heritage Tree Permit Findings (HT 2022-01):

Pursuant to Land Use Code section 20.24.1065, the Planning Commission makes the following findings:

1. The condition of the tree with respect to disease and danger of falling.

The tree assessment report for the proposed project, Plan, prepared by MacNair and Associates Consultants, dated November 17, 2021, determined that two heritage trees will be removed, including two glossy privet (#1 and #3). The health of the two trees ranges from low to moderate vigor and the glossy privet is not considered a valuable species and is classified as an invasive species.

2. Potential health and safety conditions to the general public or to other nearby trees.

The tree assessment report for the proposed project did not identify any of the heritage trees to be removed as a potential health or safety risk to the general public or other nearby trees. The necessity to remove trees is in order to construct proposed improvements and to allow reasonable enjoyment or use of the property as a public amenity.

3. Topography of the site and the effect of tree removal on erosion, soil retention and potential increased flows of surface waters.

Based on review of the preliminary plan submitted for the proposed project, the tree assessment report does not identify any potential problems related to erosion, soil potential or increased flows of surface waters.

4. The number of trees on the property and the surrounding area and the effect of tree removal upon property values in the area.

The existing Henry and Maggie Wetzel Native Plant Garden is located on the eastern portion of the project site adjacent to Foss Creek. This significant natural feature of the site will be preserved in its entirety. The project site is a partially developed site that will be redeveloped with the addition of 13 new trees. The request to remove 2 heritage trees which are not considered a valuable species and are classified as an invasive species will not affect property values in the area.

5. Professional arboricultural practices, including the number of healthy trees a site will safely support.

The City's Land Use Code includes a requirement for replacement of heritage trees removed at a ratio of 3:1 that will be accommodated on site and incorporated into the approved landscaping plan. The project includes the planting of 13 trees.

BE IT FURTHER RESOLVED that the Healdsburg Planning Commission does hereby approve Major Design Review DR 2022-03, Conditional Use Permit CUP2022-02, Riparian Setback Variance V 2022-02 and Heritage Tree Permit HT 2022-01 subject to the adoption of the Mitigated Negative Declaration, approval of a General Plan amendment to the PQP designation and approval of a Land Use Code amendment to the P-Public zoning district by the City Council, and subject to the conditions attached hereto as Exhibit A and Exhibit B (Mitigation Monitoring and Reporting Program).

BE IT FURTHER RESOLVED that the Healdsburg Planning Commission does hereby grant authority to extend the approvals, in accordance with Healdsburg Municipal Code Section 20.28.130 to the Community Development Director.

DULY AND REGULARLY ADOPTED by the Healdsburg Planning Commission on the 14th day of March 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved:

Attest:

Phil Luks, Chair

Scott Duiven, Secretary

Exhibit A: Conditions of Approval

Exhibit B: Mitigation Monitoring and Reporting Plan

EXHIBIT A

CONDITIONS OF APPROVAL

Design Review Application DR2022-03
Conditional Use Permit Application CUP 2022-02
Riparian Setback Variance V 2022-01
Heritage Tree Permit HT 2022-01
Foley Family Community Pavilion – 3 North Street
March 14, 2023

Community Development Department

1. The project shall be developed in accordance with the architectural and landscape plans dated March 6, 2023, and except as conditioned or modified herein.
2. Any modifications to the approved plans must receive the prior approval of the City of Healdsburg. Minor modifications may be approved by the Community Development Director; however, major modifications require Planning Commission approval.
3. Design Review Permit No. DR 2022-03 and Conditional Use Permit CUP 2022-02, Riparian Setback Variance V 2022-01 and Heritage Tree Permit No. HT 2021-02 shall lapse and shall become void one year following the date on which the design review became effective, unless prior to the expiration of one year a building permit is issued for the project or a time extension(s) is approved by the Community Development Director in accordance with Healdsburg Municipal Code Section 20.28.130.
4. Prior to the issuance of building permits, a final landscaping and irrigation plan shall be submitted for approval by the Community Development Department for review and approval. The plans shall include the following:
 - a. All plant material shall be served by a city-approved automatic irrigation system pursuant to LUC Section 20.16.105.
 - b. Certification of compliance with the City's Water Efficient Landscape Ordinance.
5. A Construction Management Plan shall be submitted prior to issuance of building, grading or demolition permits, whichever occurs first. The plan shall clearly denote the limit of the construction area, tree protection measures, wetland avoidance measures, and construction staging area, subject to review and approval by the Community Development Director. Additionally, the Construction Management Plan shall include the following:
 - a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - b. All haul trucks transporting soil, sand, or other loose off-site material shall be covered.
 - c. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

- d. All construction vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
 - e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
 - f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
6. Prior to the issuance of a certificate of occupancy, the project's landscape architect or landscape contractor shall certify that all plant materials have been installed in accordance with the approved landscape plan, and the landscaping shall be inspected by the Community Development Department and the City Arborist.
 7. All on-site landscaping shall be maintained by the property owner.
 8. Prior to the issuance of a building permit, final grading and drainage plans reflecting the approved site and landscape plans shall be submitted and approved by the Community Development Department.
 9. The project shall comply with Land Use Code Section 20.24.075 which requires heritage trees removed to be replaced at a ratio of three new trees for every heritage tree removed.
 10. The project shall comply with Land Use Code Section 20.24.080 which requires measures be used to preserve and protect the health of trees to remain and new trees be planted to replace those removed.
 11. Heritage trees shall not be removed prior to the commencement of project construction, unless a certified arborist determines the tree should be removed sooner for health and safety reasons.
 12. Lighting shall be directed downward away from the night sky, adjoining properties and rights-of-way.
 13. The parking lot Lighting standards are allowed to exceed the normal maximum parking lot light height of 14 feet to allow for the use of catenary lights to provide adequate lighting for events. The maximum light standard height shall not exceed 19 feet unless required by the Fire Department to provide adequate clearance.
 14. Lot Merger LLA 2202-02 shall be recorded prior to the approval of an occupancy permit.

15. Any future signage requires a sign permit application reviewed and approved by the Planning Department prior to installation. All future signs shall be consistent with the Citywide Design Guidelines and recommendations included in the Evans & De Shazo Historic Evaluation prepared for the Foley Family Community Pavilion.
16. Comply with mitigation measures included in the adopted Foley Family Community Pavilion MNRP (Exhibit B).
17. Drainage to the SMART right-of-way is not permitted.
18. Trees and vegetation shall be maintained to not overhang the SMART right-of-way.
19. Prior to the issuance of construction permits professional licensed surveyor shall mark the property to ensure that project does not encroach on SMART property.
20. Safety fencing along the SMART Right of way shall be black, one-inch mesh, chain link with a minimum height of 6 feet.

Building

Information:

1. Building permit application was submitted before 1/1/2023 and shall comply with the 2019 California Building Standards Codes.
2. Roof covering must be Class A per HMC 15.04.020.
3. The acrylic roofing, light-transmitting plastic roof panels, must comply with the area limitation in accordance with CBC Chapter 26 and Table 2609.4.
4. Circulation paths contiguous to vehicular traffic shall be physically separated from vehicular traffic. Vehicular traffic includes travel through parking facilities, into and out of parking spaces, and along roadways, driveways and drive aisles. Physical separation shall be provided with circulation paths raised 4 inches minimum above the area where vehicular traffic occurs CBC 11B-250.
5. Detectable warnings shall be yellow CBC 11B-705.1.1.3.1.
6. The structural cross bracing will need to have guardrails or other types of barriers located beneath any portion of the brace that is less than 80 inches above the walking surface CBC 11B-307.4.
7. Accessibility requirements for the toilet facilities shall comply with CBC 11B-213.

Public Works Department

With the submittal of the subsequent building permit, Applicant is required to complete the following:

With the submittal of the subsequent building permit unless otherwise noted, the Applicant will be required to complete the following:

1. Proposed sidewalk, curb and gutter improvements along the North Street property frontage and beyond, as shown on the preliminary grading plan sheet C1.0 submitted with the design review application shall be per City standard ST03 dated March 2016, with a minimum of a 5-foot-wide sidewalk. Adjust all existing utility boxes to grade (flush). Ensure lids on all utility boxes include slip resistant surfaces. Ensure all utility boxes in traffic areas have traffic rated lids per City standards.
2. A minimum of two, 2-inch schedule 40 PVC conduits shall be installed with pull tape inside the conduit, on the site from the new electric and communications panels renovated structure to the upstream headwall of the existing Foss Creek culvert under North Street. The exact location and limits of the conduits shall be reviewed and approved by Public Works on the construction drawings submitted for building permit. The purpose of the conduits is to serve electric and communications to a future stream elevation gauge on Foss Creek.
3. The proposed driveway approaches shall comply with City standard ST05 dated March 2016.
4. Submit a final, construction level storm water low impact development (SWLID) design and report with the construction drawings submitted for building permit. Submit a signed and dated storm water determination worksheet within the final SWLID.
5. Submit a signage and striping plan with the construction drawings submitted for building permit. The plan shall include proposed red curb and re-striping of on-street parking spaces along the 3-North property frontage.
6. The project shall comply with the city's sewer lateral ordinance.
7. All design and construction shall be in accordance with the latest City of Healdsburg design standards, construction details and specifications.

Fire Department

1. Underground Petroleum Storage Tanks: If an underground petroleum storage tank is found during the demolition or grading, contact the Healdsburg Fire Marshal before removing. A permit and testing will be required before the tank can be removed.
2. Soil and Groundwater Management Plan: Prepare a Soil and Groundwater Management Plan (Plan) prior to construction regarding the known product contamination in the soil from a previous use. Submit the Plan to the Healdsburg Fire Department and North Coast Regional Water Quality Control Board for review. The plan should include procedures for soil screening, stockpile locations, treatment, sampling and disposal procedures and security of open pits. This will reduce delays during the construction phase if contamination is found.
3. EVA: the Applicant is required to prepare and submit a 20' wide Emergency Vehicle Access (EVA) easement over parking lot drive aisle from the north end of the parking lot over the shared bridge APN: 002-173-029 to Foss Street. This EVA easement shall include a legal description, and a plat shall be recorded with the Sonoma County Recorder's office.
 - a. The EVA should be dedicated to and accepted by the City of Healdsburg.
 - b. The EVA shall be dedicated to the City prior to final acceptance.

4. Fire Hydrant: Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 250 feet from a hydrant on a fire apparatus access road, as measured by the approved route around the exterior of the facility or building, on-site fire hydrants and fire mains shall be provided where required by the Fire Code Official. Municipal Code 15.08.020, 507.5.1 *A fire hydrant will be required on the north side of North St. on the west of the driveway entrance.*
5. No Parking Fire Lane Signage: Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING-FIRE LANE signs complying with Figure D103.6 and Fire Prevention Standard No. 3. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6, Municipal Code 15.08.020, Sec. CFC 503.3, Fire Prevention Standard No. 3.
6. Key Box: A department approved key box shall be installed at a location agreeable to the fire department. Box shall contain those keys necessary to gain access and control any fire protection systems or hazardous materials. Applicant shall pay the purchase price of said box. CFC Section 506, Municipal Code 15.08.020 Section 506.1 *Any gates will require a fire department Knox key entrance.*

Electric Department

A. Conditions of Approval:

1. As part of the proposed development and for consistency with the Underground Utility District in the City of Healdsburg, this property must underground services including City Electric services. (This could be a significant cost item as the undergrounding involves multiple service providers and would likely require the relocation of existing overhead services below ground within SMART right-of-way.)
2. The relocation of the existing streetlight and the inclusion of any additional streetlights shall be as determined by the Electric Department.

B. Information:

1. The new electric service will be underground and will need to underground the overhead utility pole on the south side of the property.
2. All meters must be located on the exterior within five feet of either front corner of the building.
3. For maintenance and inspection of electric facilities, meters may not be enclosed or located behind fences or gates and must be accessible to City personnel at all times.
4. All work must be in accordance with the City's Electric Department requirements and other utility and building code requirements.
5. The final design of the service and estimation of service fees will be developed during the building permit process.

**Mitigation Monitoring and Reporting Program
Foley Family Community Pavilion**

Mitigation Measure	Implementing Procedure	Monitoring Responsibility	Monitoring / Reporting Action and Schedule	Non-Compliance Sanction / Activity	MMRP Record Name / Date
<p>AIR QUALITY</p> <p>AQ-1: BAAQMD recommended Best Management Practices (BMPs) to control for fugitive dust and exhaust during all construction activities shall be incorporated into all demolition, building and grading construction plans and require implementation of the following:</p> <ol style="list-style-type: none"> 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose material shall be covered. 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4. All vehicle speeds on unpaved roads shall be limited to 15 mph. 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as practicable. Building pads shall be laid as soon as practicable after grading unless seeding or soil binders are used. 	<p>Incorporate into project design and print on construction documents (demolition, grading and building plans).</p> <p>On-site observation.</p>	<p>Planning and Building Department Project Applicant/ Contractor</p>	<p>Verification of incorporation into project design and construction documents prior to issuance of grading permit. Monitor during regularly scheduled inspections to verify that measures are in place.</p>	<p>Deny issuance of grading permit. Stop work.</p>	

Exhibit B

**Mitigation Monitoring and Reporting Program
Foley Family Community Pavilion**

Mitigation Measure	Implementing Procedure	Monitoring Responsibility	Monitoring / Reporting Action and Schedule	Non-Compliance Sanction / Activity	MMRP Record Name / Date
<p>6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCRI]). Clear signage shall be provided for construction workers at all access points.</p> <p>7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper working condition prior to operation.</p> <p>8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.</p>					
BIOLOGICAL RESOURCES					
<p>BIO-1: To avoid impacts to roosting Townsend's big-eared bats, building removal should only be conducted during seasonal periods</p>	<p>Incorporate timing into project</p>	<p>Building and Planning Department</p>	<p>Prior to issuance of grading permit</p>	<p>Stop work and establish</p>	

**Mitigation Monitoring and Reporting Program
Foley Family Community Pavilion**

Mitigation Measure	Implementing Procedure	Monitoring Responsibility	Monitoring / Reporting Action and Schedule	Non-Compliance Sanction / Activity	MMRP Record Name / Date
<p>of bat activity: between August 31 and October 15, when bats would be able to fly and feed independently, and between March 1 and April 1 to avoid hibernating bats, and prior to the formation of maternity colonies. At least 14 days prior to demolition, a qualified biologist with at least two years of experience surveying for bats, should do preconstruction surveys for roosting bats. If the qualified biologist finds evidence of bat presence during the surveys, then a plan for removal and exclusion shall be developed, in conjunction with the California Department of Fish and Wildlife (CDFW).</p> <p>If building removal must occur outside of the seasonal activity periods mentioned above (i.e., between October 15 and February 28/29, or between April 2 and August 30), then a qualified biologist, with at least two years of experience surveying for bats, shall conduct preconstruction surveys within 14 days of starting work. If roosts are found, a determination should be made whether there are young. If a maternity site is found, impacts to the maternity site will be avoided by establishment of a non-disturbance buffer until the young have reached independence. The size of the buffer zone</p>	<p>construction plans and print on construction plans.</p> <p>Applicant shall provide the Planning and Building Department with the resume of the qualified biologist demonstrating bat survey and detection experience.</p> <p>Conduct pre-construction survey.</p> <p>On-site observation.</p> <p>If necessary, establish a protection buffer zone.</p>	<p>Project Applicant/ Contractor</p> <p>Qualified biologist</p>	<p>and during construction.</p> <p>Applicant shall provide the pre-construction survey to the Planning Department.</p> <p>Monitor during regularly scheduled inspections to verify that measures are in place.</p>	<p>appropriate buffer zone.</p>	

**Mitigation Monitoring and Reporting Program
Foley Family Community Pavilion**

Mitigation Measure	Implementing Procedure	Monitoring Responsibility	Monitoring / Reporting Action and Schedule	Non-Compliance Sanction / Activity	MMRP Record Name / Date
<p>should be determined by the qualified bat biologist at the time of the surveys. If the qualified biologist finds evidence of bat presence during the surveys, then a plan for removal and exclusion shall be developed, when there are not dependent young present, in conjunction with the CDFW.</p>					
<p>BIO-2: To avoid impacts to nesting birds, a nesting survey shall be conducted within 15 days of commencing construction work or tree removal if this work would commence between February 1 and August 31. The nesting survey shall include an examination of all buildings onsite and all trees onsite and within 200 feet of the entire project site (i.e., within a zone of influence of nesting birds), including trees to be retained onsite. The zone of influence includes those areas outside the project site where birds could be disturbed by earth- moving vibrations and/or other construction-related noise.</p> <p>If birds are identified nesting on or within the zone of influence of the construction project, a qualified biologist shall establish a temporary protective buffer around the nest(s). The nest buffer should be staked with orange construction fencing. The</p>	<p>Incorporate timing into project construction plans and print on construction plans.</p> <p>Applicant shall provide the Planning and Building Department with the resume of the qualified biologist demonstrating bird survey and detection experience prior to</p>	<p>Building and Planning Department Project Applicant/ Contractor Qualified biologist</p>	<p>Prior to issuance of grading permit and during construction.</p> <p>Applicant shall provide the pre-construction survey to the Planning Department.</p> <p>Monitor during regularly scheduled inspections to verify that measures are in place.</p>	<p>Stop work and establish appropriate buffer zone.</p>	

**Mitigation Monitoring and Reporting Program
Foley Family Community Pavilion**

Mitigation Measure	Implementing Procedure	Monitoring Responsibility	Monitoring / Reporting Action and Schedule	Non-Compliance Sanction / Activity	MMRP Record Name / Date
<p>buffer must be of sufficient size to protect the nesting site from construction-related disturbance and shall be established by a qualified ornithologist or biologist with extensive experience working with nesting birds near and on construction sites. Typically, adequate nesting buffers are 50 feet from the nest site or nest tree dripline for small birds and up to 300 feet for sensitive nesting birds that include several raptor species known to occur in the region of the project site but that are not expected to occur on the project site. Upon completion of nesting surveys, if nesting birds are identified on or within a zone of influence of the project site, a qualified ornithologist/biologist that frequently works with nesting birds shall prescribe adequate nesting buffers to protect the nesting birds from harm while the project is constructed.</p> <p>No construction or earth-moving activity shall occur within any established nest protection buffer prior to September 1 unless it is determined by a qualified ornithologist/biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones, or that the nesting cycle is otherwise completed. In</p>	<p>conducting surveys. Conduct pre-construction survey. On-site observation. If necessary, establish a protection buffer zone.</p>				

**Mitigation Monitoring and Reporting Program
Foley Family Community Pavilion**

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<p>the region of the project site, most species complete nesting by mid-July. This date can be significantly earlier or later, and would have to be determined by the qualified biologist. At the end of the nesting cycle, and fledging from the nest by its occupants, as determined by a qualified biologist, temporary nesting buffers may be removed and construction may commence in established nesting buffers without further regard for the nest site.</p>					
CULTURAL RESOURCES					
<p>CUL-1: Prior to issuance of a Certificate of Occupancy, interpretive (aka informational) public signage shall be installed near or adjacent to the primary façade and adjacent to the reconstructed loading dock (ADA ramp) along the east elevation. Signage shall be adequate in size to attract the public and shall consist of a historical context for the fruit and nut packing facilities in Healdsburg and specific history related to the 1922 building, illustrating how the loading docks and the railroad functioned as part of the fruit and nut packing operations. Design and content of the sign shall be prepared in coordination with a qualified historian.</p>	<p>Incorporate into project design and print on construction documents (building plans) Review and approval by the Planning and Building Department</p>	<p>Applicant Planning and Building Department</p>	<p>Prior to issuance of certificate of occupancy</p>		

**Mitigation Monitoring and Reporting Program
Foley Family Community Pavilion**

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<p>CUL-2: To ensure the project does not result in impacts to potential buried archaeological resources onsite, the following shall be implemented:</p> <p>1. Archaeological Monitoring Plan and Site Monitoring. Prior to ground-disturbing activities, a qualified archaeologist shall prepare a Monitoring Plan for the project. The Monitoring Plan shall describe the specific methods and procedures to be followed if archaeological deposits are identified. A Secretary of the Interior-qualified archeologist shall be retained to monitor all ground-disturbing activities. Archaeological monitors shall be empowered to halt construction activities at the location of a discovery to review possible archaeological material and to protect the resource while it is being evaluated. Monitoring shall continue until, in the archaeologist's judgment, cultural resources are not likely to be encountered. If archaeological materials are encountered during project activities, all work within 25 feet of the discovery shall be redirected until the archaeologist assesses the finds, consults with agencies as appropriate, and makes recommendations for the treatment of</p>	<p>Print on construction documents (grading plans), Pre-construction awareness training.</p>	<p>Planning and Building Department Project Applicant/ Contractor Qualified archaeologist</p>	<p>Prior to commencement of ground disturbing activities.</p>	<p>Deny issuance of grading permit.</p>	

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<p>the discovery. If avoidance of the archaeological deposit is not feasible, the archaeological deposit shall be evaluated for its eligibility for listing in the California Register of Historical Resources. If the deposits are not eligible, mitigation is not necessary. If the deposits are eligible, adverse effects on the deposits shall be mitigated. Mitigation may include excavation of the archaeological deposit in accordance with a data recovery plan (CEQA Guidelines Section 151.26.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; preparation of a report detailing the methods, findings, and significance of the archaeological site and associated materials; and accessioning of archaeological materials and a technical data recovery report at a curation facility. Upon completion of the assessment, the archaeologist shall prepare a report to document the methods and results of the assessment. The report shall be submitted to the City of Healdsburg and the Northwest Information Center of the California Historical Information Systems upon completion of the resource assessment.</p>					

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<p>2. Pre-construction Meeting. Project supervisors, contractors, and equipment operators shall be familiarized with the types of artifacts that could be encountered during earth-disturbing activities and procedures to follow if subsurface cultural resources are unearthed during construction and an archaeologist is not present. Project supervisors, contractors, equipment operators, and all construction personnel on site shall be instructed not to collect artifacts if observed. To accomplish this, a professional archaeologist shall conduct a preconstruction meeting prior to commencement of ground-disturbing activities to familiarize the team with the potential to encounter prehistoric artifacts or historic-era archaeological deposits, the types of archaeological material that could be encountered within the project area, and procedures to follow if archaeological deposits and/or artifacts are observed during construction and an archaeologist is not present.</p>					
<p>3. Post-review Discoveries. If archaeological resources are encountered during construction and an archaeologist is not present, work shall be temporarily</p>					

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<p>halted within 25-feet of the discovery and the deposit shall be secured to prevent altering the deposit and the context in which it is found until a qualified professional archaeologist is retained to evaluate the find and provide appropriate recommendations. The archaeologist shall be Secretary of Interior-qualified to inspect the material(s), assess its historical significance, consult with Tribes and other stakeholders as needed, and provide recommendations for the treatment of the discovery in accordance with the Secretary of Interior Standards for the Treatment of Historic Properties.</p>					
<p>CUL-3: In the event that human remains are encountered within the project Area during project-related, ground-disturbing activities, all work must stop, and the Sonoma County Coroner must be notified immediately. If the remains are suspected to be those of a prehistoric Native American, then the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" (MLD) can be designated to provide further recommendations regarding treatment of the remains. A Secretary of Interior-qualified</p>	<p>Conduct construction in conformance with measures herein. Include measure on project construction and improvement plans.</p>	<p>Applicant Qualified archaeologist Planning and Building Department</p>	<p>Prior to issuance of a demolition and/or grading permit During Ground disturbing activities</p>		

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<p>Archaeologist should also evaluate the historical significance of the discovery, the potential for additional human remains to be present, and to provide further recommendations for treatment of the resource in accordance with the MLD recommendations and the Secretary of Interior Standards for the Treatment of Historic Properties.</p>					
GEOLOGY AND SOILS					
<p>GEO-1: Prior to issuance of a grading permit, an erosion control plan along with grading and drainage plans shall be submitted to the Building Department. All earthwork, grading, trenching, backfilling, and compaction operations shall be conducted in accordance with the City of Healdsburg's Grading and Erosion Control Ordinance, Chapter 17.36 of the Healdsburg Municipal Code). These plans shall detail erosion control measures such as site watering, sediment capture, equipment staging and laydown pad, and other erosion control measures to be implemented during construction activity on the project site.</p>	<p>Incorporate into project design and print on construction documents (demolition, grading and building plans).</p>	<p>Planning and Building Department Project Applicant/ Contractor</p>	<p>Verification of incorporation into project design and construction documents prior to issuance of grading permit. Monitor during regularly scheduled inspections to verify that measures are in place.</p>	<p>Deny issuance of permits. Stop work.</p>	

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<p>GEO-2: All applicable recommendations set forth in the Design Level Geotechnical Investigation prepared by PJC & Associates, dated December 15, 2022, for the subject property, including, but not limited to recommendations related to grading, drainage, excavation, foundations systems, and compaction specifications shall be incorporated. Final grading plans, construction plans, and building plans shall demonstrate that recommendations set forth in the geotechnical reports have been incorporated into the design of the project and to the satisfaction of the City of Healdsburg City Engineer.</p>	<p>Incorporate into project design and print on construction documents (demolition, grading and building plans).</p>	<p>Planning and Building Department Project Applicant/ Contractor</p>	<p>Verification of incorporation into project design and construction documents prior to issuance of grading permit. Monitor during regularly scheduled inspections to verify that measures are in place.</p>	<p>Deny issuance of permits. Stop work.</p>	
<p>GEO-3: In the event that paleontological resources, including individual fossils or assemblages of fossils, are encountered during construction activities all ground disturbing activities shall halt and a qualified paleontologist shall be procured to evaluate the discovery and make treatment recommendations.</p>	<p>Incorporate into project design and print on construction documents (grading plans). On-site observation.</p>	<p>Planning and Building Department Project Applicant/ Contractor Qualified paleontologist</p>	<p>During ground disturbance activities.</p>	<p>Stop work.</p>	

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HAZARDS AND HAZARDOUS MATERIALS					
<p>HAZ-1: To avoid potential impacts related to the release of asbestos-containing materials or lead-based paint, abatement of such materials shall be conducted in compliance with recommendations set forth in the Pre-Renovation/Demolition Asbestos & Lead Inspection Report prepared by NorBay Consulting, dated October 20, 2015. Requirements set forth by the Occupational Safety and Health Administration (OSHA) AHERA requirements, lead standard contained in 29 CFR 1910.1025 and 1926.62, and any other local, state, or federal regulations shall be complied with throughout abatement. Treatment, handling, and disposal of these materials shall adhere to all requirements established by OSHA and other agencies.</p>	<p>Print on construction documents (demolition permit). Provide copy of asbestos survey.</p>	<p>Planning and Building Department Project Applicant/ Contractor Occupational Safety and Health Administration</p>	<p>Prior to issuance of demolition permit.</p>	<p>Deny issuance of demolition permit.</p>	
<p>HAZ-2: To avoid a potential impact related to hazardous materials the applicant shall prepare and implement a Soil and Groundwater Management Plan and Health and Safety Plan. At a minimum, the Soil and Groundwater Management Plan shall include methods for achieving the recommendations set forth in the 2016 Phase II environmental site assessment</p>	<p>Provide copy of Soil and Groundwater Management Plan and Health and Safety Plan to the City with construction documents.</p>	<p>Planning and Building Department Fire Department Project Applicant/ Contractor</p>	<p>Ongoing through project construction.</p>	<p>Stop work.</p>	

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<p>(ESA) prepared by EBA Engineering. As provided therein, the Plan shall address the following:</p> <ul style="list-style-type: none"> • Remediate, to the extent feasible, contaminated soil identified in the area of the former underground storage tank located on the northeast side of the existing warehouse building. • In the event that an additional underground storage tank is identified at the southeast corner of the existing building during project construction activities, contact the North Coast Regional Water Quality Control Board to establish protocols for removal. • Remediate, to the extent feasible, petroleum hydrocarbons in the area surrounding the suspected underground storage tank. • Remediate, to the extent feasible, the concrete slab to remove residual concentrations of metals. Alternatively, the existing concrete slab may be replaced to remove residual concentrations of metals. • Include vapor mitigation barrier and trench plugs for all utility conduits entering the existing building. <p>The Health and Safety Plan shall comply with all local, State, and federal regulations governing</p>	<p>Retain copy of the plans on-site during construction.</p>	<p>Environmental Professional/Health and Safety Officer North Coast Regional Water Quality Control Board</p>			

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<p>hazardous materials and shall include, at a minimum, the following information:</p> <ul style="list-style-type: none"> • Facility description including availability of resources such as roads, water supply, electricity, and telephone service; • Description of the known hazards and evaluations of the risks associated with the incident and with each activity conducted, including, but not limited to, exposure to contaminants; • List of key personnel and alternates responsible for site safety, response operations, and protection of public health; • Delineation of work area; • Description of levels of protection to be worn by personnel in work area; • Establishment of procedures to control site access; • Description of decontamination procedures for personnel and equipment; • Establishment of site emergency procedures; • Emergency medical care for injuries and toxicological problems; • Description of requirements for an environmental surveillance program; • Routine and special training required for responders; and 					

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<ul style="list-style-type: none"> Establishment of procedures for protecting workers from weather-related problems. 					
NOISE					
<p>NOI-1: The following Best Construction Management Practices shall be implemented during all phases of construction to reduce construction noise levels emanating from the site, limit construction hours, and minimize disruption and annoyance:</p> <ul style="list-style-type: none"> Limit construction hours to between 7:30 a.m. and 6:00 p.m., Monday through Saturday No construction activities shall occur on Sundays and holidays. Limit use of the concrete saw to a distance of 50 feet or greater from residences, where feasible. Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment when located near adjoining sensitive land uses. Temporary noise barriers would provide a 5-dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receiver and if the barrier is constructed in a manner that eliminates any cracks or gaps. 	<p>Incorporate into project design and print on construction documents (building plans). Prior to commencement of construction, assign a disturbance coordinator to respond to complaints and address noise concerns as they arise. On-site observation.</p>	<p>Planning and Building Department Project Applicant/ Contractor Disturbance coordinator</p>	<p>Verification of incorporation into design and construction documents prior to issuance of grading and building permits. Monitor during regularly scheduled inspections to verify that measures are in place.</p>	<p>Deny issuance of grading and building permit. Stop work.</p>	

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<ul style="list-style-type: none"> • Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. • Unnecessary idling of internal combustion engines shall be strictly prohibited. • Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors. • Utilize "quiet" air compressors and other stationary noise sources where technology exists. • Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. • Locate material stockpiles, as well as maintenance/equipment staging and 					

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<p>parking areas, as far as feasible from existing residences and rooms at the Du Champ hotel north of the site.</p> <ul style="list-style-type: none"> Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site. Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule. 					
<p>NOI-2: Any event occurring during the nighttime hours (between 8:00 pm and 7:00 am), daytime concert with amplified music (large or small), daytime event with non-concert type live amplified music performance, daytime event in the parking area with more than 100 persons in concurrent attendance, or daytime</p>	<p>Verify through event-specific Special Events Permits.</p>	<p>Planning and Building Department Community Services / Parks & Recreation Department Project Applicant</p>	<p>Verification of incorporation into design prior to Special Events Permit issuance.</p>	<p>Deny issuance of Special Events Permit.</p>	

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<p>event held in the parking lot with amplified speech shall comply with the following, in addition to any requirements set forth in the City of Healdsburg's Special Events policy.</p> <ul style="list-style-type: none"> Events with amplified music performances shall be held in the event pavilion or 75 feet or more from the northern property line in the parking area. Additionally, temporary sound absorptive noise barrier walls with a minimum height of 10 feet above the performance stage level shall be installed on the western and eastern side of the stage when held in the pavilion and/or on the northern, western, and eastern side of the stage when held in the parking area. These temporary barriers shall be installed without gaps in the face and shall have a minimum surface weight of 2.0 pounds per square foot. Acceptable temporary barriers include Environmental Noise Control STC-27 Acoustical Barrier/Absorber Blankets, or acoustical equivalent. This type of barrier may be set up on a supporting structure, such as an existing fence or on guywires strung between temporary supports but the full 10-foot height shall be maintained. With the use of a guy-wire type structure the wall area may also be 					

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<p>demounted for deliveries and access, however, to be effective it shall be fully installed during amplified music events.</p> <ul style="list-style-type: none"> All speakers used for amplified music or speech shall be directed away from the northern property line and be positioned so as not to directly face the western and eastern property lines to reduce the degree of sound escaping the audience area. All events planned with more than 100 persons in concurrent attendance shall be limited to the pavilion and the southern half of the parking area to avoid noise impacts to the uses to the north and northeast of the project site. 					
TRANSPORTATION					
<p>TRA-1: As part of the Special Events Permit for events that will require closure of North Street, a traffic control plan shall also be required. Traffic control plans shall be developed to provide adequate advance notice of the North Street closure and shall direct traffic to a specified detour route. Plans shall also provide for a turnaround area for vehicles entering the block west of Healdsburg Avenue. The traffic control plan shall be subject to</p>	<p>Incorporate traffic control plan with event-specific Special Events Permits.</p>	<p>Planning and Building Department Fire Department Police Department Public Works Department Community Services / Parks &</p>	<p>Verification of incorporation into design prior to Special Events Permit issuance.</p>	<p>Deny issuance of Special Events Permit.</p>	

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review and approval by the City of Healdsburg fire, police, and public works departments.		Recreation Department Project Applicant			
TRA-2: The City of Healdsburg Police and Fire Departments shall be provided with advanced notice of all events that will result in temporary closure of North Street.	Verify through event-specific Special Events Permits.	Planning and Building Department Police Department Community Services / Parks & Recreation Department Project Applicant	Verification of notification prior to Special Events Permit issuance.	Deny issuance of Special Events Permit.	
TRIBAL CULTURAL RESOURCES					
TCUL-1: To protect buried Tribal Cultural Resources that may be encountered during construction activities, the project shall comply with Mitigation Measures CUL-1, CUL-2, and CUL-3.	See Mitigation Measures CUL-1, CUL-2, and CUL-3 above	See Mitigation Measures CUL-1, CUL-2, and CUL-3 above	See Mitigation Measures CUL-1, CUL-2, and CUL-3 above	See Mitigation Measures CUL-1, CUL-2, and CUL-3 above	