Hembree Lane Oaks Subdivision Project Initial Study

Town of Windsor

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In addition to these appendices, all documents cited in this report and used in its preparation are hereby incorporated by reference into this Initial Study. Copies of documents referenced herein are available for review at the Town of Windsor Community Development Department at 9291 Old Redwood Highway Windsor, California 95492.

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LIST OF TABLES

1. Introduction

This document is an Initial Study for the Hembree Lane Oaks Subdivision Residential Project (proposed project) prepared by the Town of Windsor (Town) to determine if the proposed project may have a significant effect on the environment. This Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Sections 21000 et seq.). Pursuant to Section 15051 of the State CEQA Guidelines,[1] the Town is the lead agency for the proposed project.

The project site is on a 5.1-acre site that is proposed for development by DRG Builders (the project applicant). The project site consists of one lot that is assigned Assessor's Parcel Number (APN) 163-080-047. The site is at 7842 Hembree Lane. The project site is surrounded by residential uses to the north, south, and west, and parkland to the east. The site is currently undeveloped and covered in a mix of vegetation, including mature trees.

The proposed project would include the development of 24 single-family dwelling units, each with a one- or two-car garage. Five units would have an attached accessory dwelling unit (ADU). Each dwelling unit would be two stories, for a height ranging between 26 and 29 feet at the roofline.

The General Plan land use designation for the project site is Very Low Density Residential (VLDR) and is zoned Surrounding Residential (SR), which allows for single-family homes, or duplexes and triplexes with a density of three to six dwelling units per acre. The maximum height for development on the project site is 35 feet.[2] A detailed description of the proposed project is provided in Chapter 3, *Project Description*, of this Initial Study.

1.1 INITIAL STUDY

Pursuant to CEQA Guidelines Section 15063, an Initial Study is a preliminary environmental analysis that is used by the lead agency as a basis for determining what form of environmental review is required for a project. The CEQA Guidelines require that an Initial Study contain a project description, description of environmental setting, identification of environmental effects by checklist or other similar form, explanation of environmental effects, discussion of mitigation for significant environmental effects, evaluation of the project's consistency with existing and applicable land use controls, and the name of persons who prepared the study.

[1] The CEQA Guidelines are found in California Code of Regulations, Title, 14, Section 15000 *et seq*.

[2] Town of Windsor Municipal Code Title XVII, *Zoning*, Table 2-3, *Residential District General Development Standards*.

1.2 TIERING PROCESS

The CEQA concept of "tiering" refers to the evaluation of general environmental matters in a broad program-level EIR, with subsequent focused or project-level environmental documents for individual projects that implement the program. Pursuant to CEQA Guidelines Section 15152 this Initial Study is tiered from the *Windsor 2040 General Plan Environmental Impact Report* (EIR) that was certified by the Windsor Town Council in February 2018,[3] hereinafter "General Plan EIR."

Pursuant to CEQA Guidelines Section 15150, this Initial Study incorporates by reference the discussions and analysis in the General Plan EIR. As previously stated, copies of documents referenced herein are available for review at the Town of Windsor Community Development Department at 9291 Old Redwood Highway, Windsor, CA 95492.

The analysis in this Initial Study concentrates on the project-specific issues pertaining to the proposed Hembree Lane Oaks Subdivision Project. CEQA and the CEQA Guidelines encourage the use of tiered environmental documents to reduce delays and excessive paperwork in the environmental review process. This is accomplished in tiered documents by eliminating repetitive analyses of issues that were adequately addressed in the program EIRs and by incorporating those analyses by reference.

In order to determine whether the proposed project was part of the development that was examined in the General Plan EIR, the following questions must be answered:

- Is the proposed project included in the scope of the development projected and analyzed in the General Plan EIR?
- Is the project site in an area designated for Very Low Density Residential (VLDR) land uses in the General Plan?
- Are the changes to population and employment associated with the proposed project included within the scope of the projections accounted for in the General Plan EIR?
- Is the proposed project within the scope of the cumulative analysis in the General Plan EIR?

The General Plan EIR included an evaluation of the project site with a General Plan Very Low Density Residential (VLDR) land use designation. The evaluation in the General Plan EIR assumed potential redevelopment of residential uses with a minimum density of three dwelling units per acre and a maximum density of six dwelling units per acre. Accordingly, the 5.1-acre site could accommodate between 15 and 30 dwelling units. In addition, the current Housing Element (2015-2023 cycle), the site was inventoried as a housing site with a realistic development capacity estimated at 25 units.

The cumulative impacts of past, present, and probable future development, in conjunction with overall General Plan buildout, including residential development of the project site, were evaluated in the General Plan EIR. Accordingly, this Initial Study tiers from the General Plan EIR pursuant to CEQA Guidelines Section 15152 (PRC Section 21094).

[3] Town of Windsor. 2018. Certified Windsor 2040 General Plan EIR, State Clearinghouse Number 2016112065. February.

1.3 REPORT ORGANIZATION

This Initial Study is organized into the following chapters:

Chapter 1: Introduction. This chapter provides an introduction and overview of the Initial Study document.

Chapter 2: Executive Summary. A summary of the pertinent details for the proposed project, including lead agency contact information, proposed project location, and General Plan land use designation and zoning districts are in this chapter.

Chapter 3: Project Description. This chapter describes the location and setting of the proposed project, along with its principal components, as well as a description of the policy setting and implementation process for the proposed project.

Chapter 4: Environmental Analysis. Making use of the CEQA Guidelines Appendix G, *Environmental Checklist*, this chapter identifies and discusses anticipated impacts from the proposed project, providing substantiation of the findings made.

Chapter 5: Organizations and Persons Consulted. This chapter presents a list of Town and other agencies and consultant team members that contributed to the preparation of the Initial Study.

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2. *Executive Summary*

2.1 PROJECT INFORMATION

1.	**Project Title:**	Hembree Lane Oaks Subdivision Project
2.	**Lead Agency Name and Address:**	Town of Windsor Community Development Department 9291 Old Redwood Highway Windsor, CA 95492
3.	**Contact Person and Phone Number:**	Kim Voge, Planner III (707) 838-1106
4.	**Location:**	Assessor's Parcel Number 163-080-047 7842 Hembree Lane Windsor, CA 95492
5.	**Applicant's Name and Address:**	Falcon Point Associates and DRG Builders Doyle Heaton 3496 Buskirk Avenue, Suite 204 Pleasant Hill, CA 94523
6.	**General Plan Land Use Designations:**	Very Low Density Residential (VLDR)
7.	**Zoning:**	Surrounding Residential (SR)
8.	**Description of Project:**	See Chapter 3, *Project Description*
9.	**Surrounding Land Uses and Setting:**	See Chapter 3, *Project Description*
10.	**Other Required Approvals:**	See Chapter 3, *Project Description*

11. **Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?** The Town received requests to be notified about projects in the Town of Windsor from the Native American Tribes of the Federated Indians of Graton Rancheria and the Lytton Rancheria of California. The Town initiated the consultation process with these tribes in September 2022 and the tribes are included on the notification distribution list for this Initial Study. See Section XVII, *Tribal Cultural Resources*, in Chapter 4, *Environmental Analysis*, of this Initial Study for further details.

2.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked here would be potentially affected by the proposed project, involving at least one impact that is a potentially significant impact, as shown in Chapter 4, *Environmental Analysis*, of this Initial Study.

- ☐ Aesthetics
- ☐ Agriculture & Forestry Resources
- ☐ Air Quality
- ☐ Biological Resources
- ☐ Cultural Resources
- ☐ Energy
- ☐ Geology & Soils
- ☐ Greenhouse Gas Emissions
- ☐ Hazards & Hazardous Materials
- ☐ Hydrology & Water Quality
- ☐ Land Use & Planning
- ☐ Mineral Resources
- ☐ Noise
- ☐ Population & Housing
- ☐ Public Services
- ☐ Recreation
- ☐ Transportation
- ☐ Tribal Cultural Resources
- ☐ Utilities & Service Systems
- ☐ Wildfire
- ☐ Mandatory Findings of Significance

2.3 DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Approved by: _____ _____

Kim Voge, Planner III Date

3. *Project Description*

The project applicants, Falcon Point Associates and DRG Builders, are proposing the Hembree Lane Oaks Subdivision Project (proposed project) that would involve site preparation and tree removal for the construction and operation of a residential project with 24 single-family detached dwelling units on a 5.1-acre site. The site is currently undeveloped and covered in a mix of vegetation, including mature trees. This chapter provides a detailed description of the proposed project, including the location, setting, and characteristics of the project site, the principal project features, construction phasing and schedule, as well as a list of the required permits and approvals.

3.1 PROJECT LOCATION AND SITE CHARACTERISTICS

3.1.1 REGIONAL LOCATION

As shown on Figure 3-1, *Regional and Vicinity Map*, the project site is in the Town of Windsor in the central portion of Sonoma County. Windsor is roughly ten miles north of Santa Rosa and 64 miles north of San Francisco. US Highway 101 provides regional access to the project site.

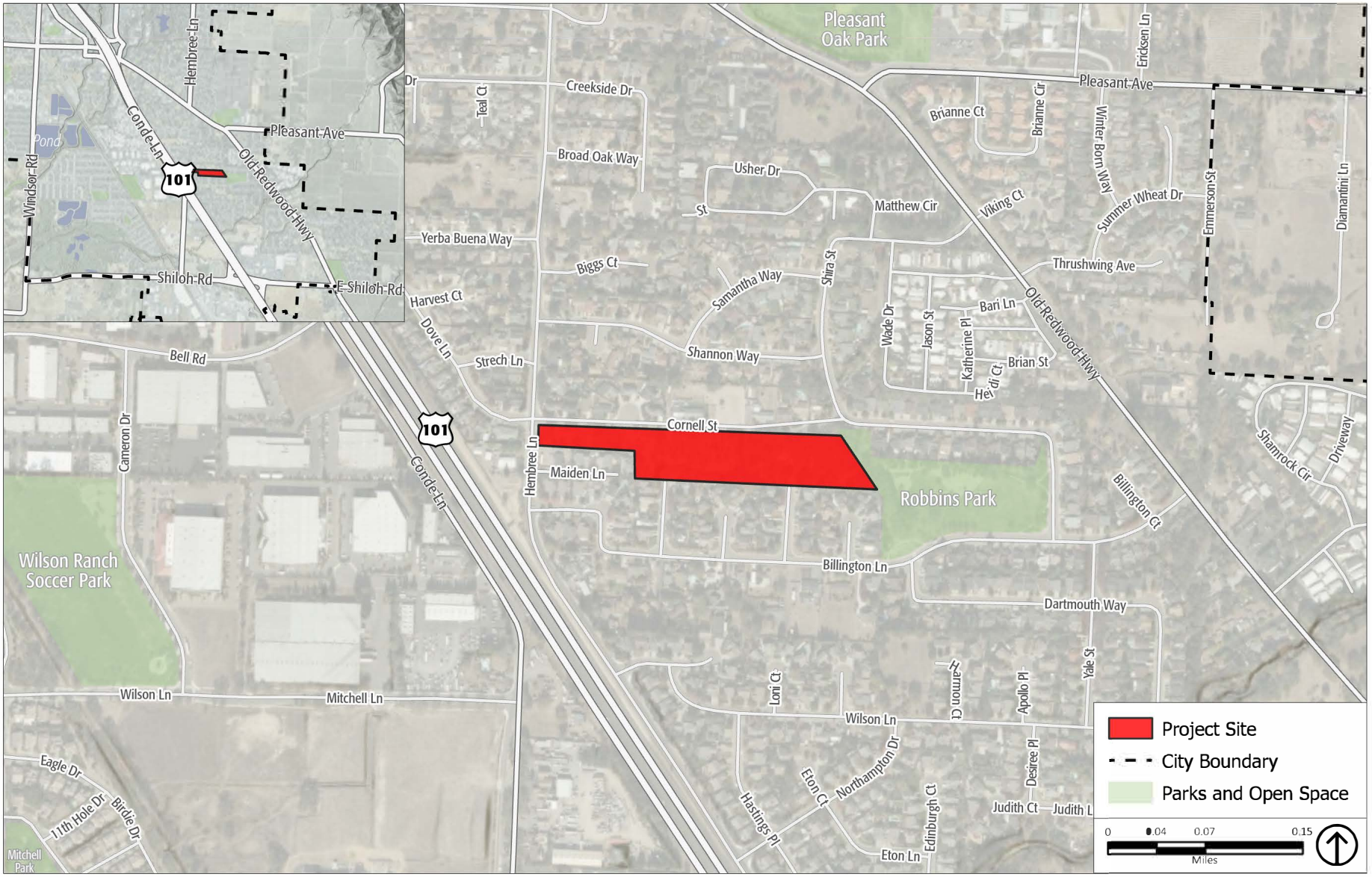
3.1.2 LOCAL SETTING

The project site, at 7842 Hembree Lane, is in the southeastern portion of the town of Windsor in an area consisting primarily of residential properties. Old Redwood Highway is to the east of the site and Highway 101 is to the west of the site. The central business district of the town of Windsor is approximately one mile to the northwest of the project site. As shown on Figure 3-2, *Aerial View of the Existing Site*, the site is bounded by Cornell Street on the north, Robbins Park on the east, residential uses on the south, and Hembree Lane on the west. The intersection of Hembree Lane and Cornell Street is at the northwest corner of the project site, where there is a bus stop operated by the Sonoma County Transit (SCT). Hembree Lane and Cornell Street are residential two-lane roads. The project site is surrounded by residential uses to the north, south and west, and parkland to the east.

The Charles M. Schulz – Sonoma County Airport is roughly 1.5 miles southwest of the project site. The project site is inside a Primary Referral Area Boundary for the airport but outside of any of the designated safety zones.[4] The nearest helipad is at the Sutter Santa Rose Regional Hospital roughly four miles to the southeast.

[4] County of Sonoma, 2016, Exhibit C4 Charles M. Schulz – Sonoma County Airport Safety Zones, https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Comprehensive-Airport-Land-Use/Sonoma-County-Airport/, accessed April 25, 2022.

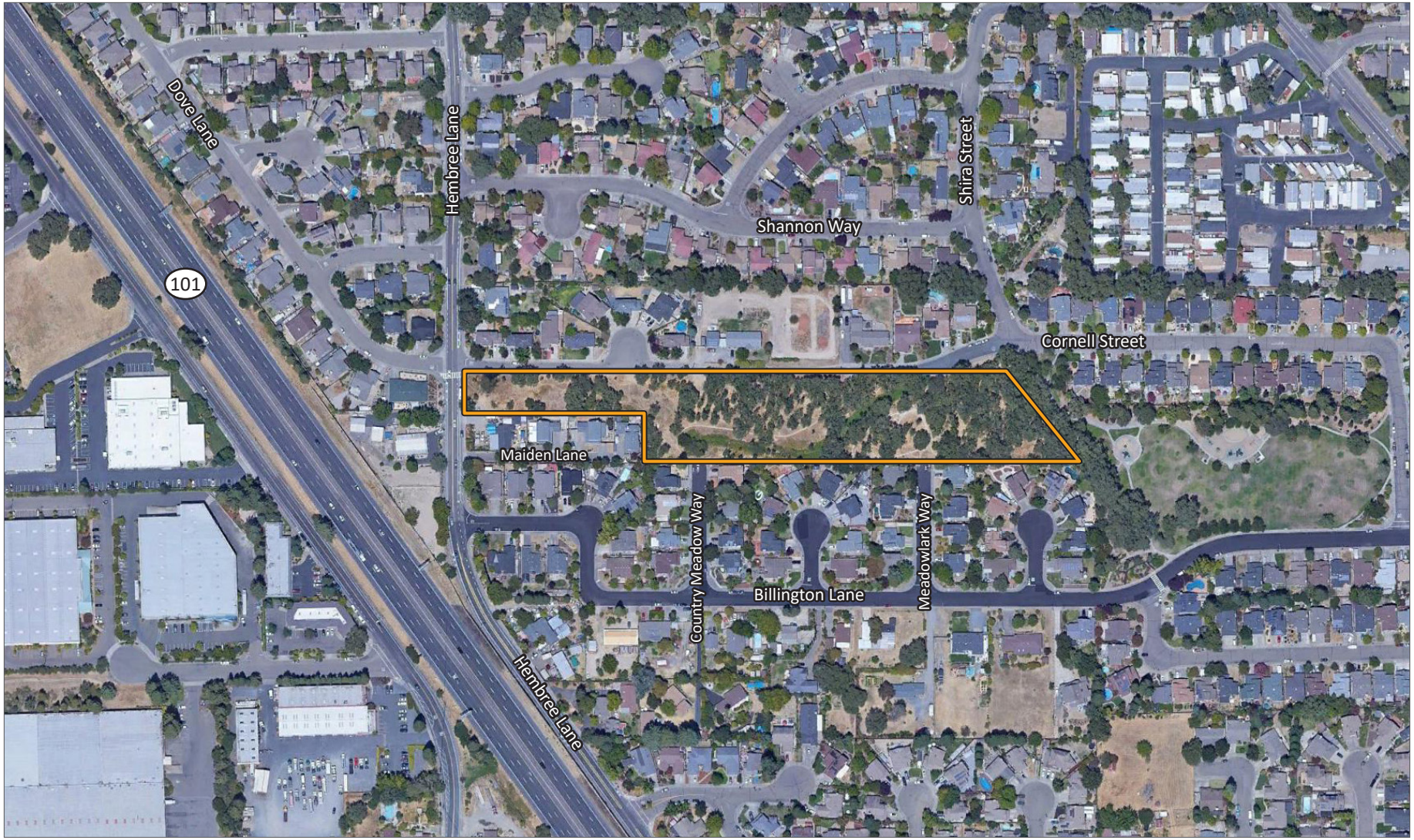
PROJECT DESCRIPTION



Source: ESRI, 2022; PlaceWorks, 2023.

Figure 3-1
Regional and Vicinity Map

PROJECT DESCRIPTION



Source: Google Earth, 2022. PlaceWorks.com, 2022.

0 600
Scale (Feet)

Approximate Site Boundary

Figure 3-2

Aerial View of the Existing Site

Sensitive receptors include places with people that have an increased sensitivity to air pollution, noise, or environmental contaminants. These sites can include schools, parks and playgrounds, day care centers, hotels, senior housing, nursing homes, hospitals, and residential dwelling units. Sensitive receptors within 0.25 miles (1,320 feet)[5] of the project site include:

- Single-family residences approximately 25 feet to the north across Cornell Street, approximately 100 feet to the east across Robbins Park, and those that share a property line with the project site to the south.
- Mother Earth's Children Preschool Sunflower approximately 305 feet (0.10 miles) to the north, and Morrison Family Chile Care approximately 1,000 feet (0.19 miles) to the northwest.
- Residential Care Specialists assisted living facility approximately 820 feet (0.16 miles) to the north.
- Robbins Park that shares a property line with the project site to the east.
- Mattie Washburn Elementary School approximately 1,600 feet (0.30 miles) to the northwest.

3.1.3 EXISTING SITE SETTING

3.1.3.1 SITE CHARACTER

The project site is an undeveloped parcel of land with no structures or aboveground improvements, and no active uses except for informal paths traversing the property, frequented by members of the community. According to the civil drawings, there is one existing on-site well that will be abandoned as part of the project.[6] The site is densely covered with trees varying in size from four inches in diameter and larger and consisting mostly of the oak variety. The site was originally used for agriculture dating back to at least 1933. Historical photographs from 1942 through 1983 indicate that the property was planted with an orchard on a majority of the parcel; however, the orchards are gone by 1993 and the site was comprised of vacant land with scattered trees, shrubs and other low-lying vegetation, and seasonal grasses.[7]

Based on the 2022 Tree Inventory Reports (TIRs) for the project site, native trees currently on the project site include predominantly valley oak, with some coast live oak and black oak, as well as several non-native tree species. The TIRs indicate there are trees on the project site that meet the Town's tree protection requirements as described in Section 3.1.3.3, *Other Town of Windsor Requirements*.[8, 9, 10] . Habitat types at the project site include valley oak woodland, grasslands, seasonal wetland, riparian

[5] This distance is consistent with criterion (c) in Section IX, *Hazards and Hazardous Materials*, which asks "Would the project emit hazardous emissions or handle hazardous materials, substances or waste within 0.25 miles of an existing or proposed school?"

[6] Civil Design Consultants, Inc., 2022. 7842 Hembree Lane, Tentative Map, Sheet 1, *Cover Sheet*. April 5.

[7] REALM Civil Engineering, Surveying & Land Planning, 2021. *Phase I Environmental Site Assessment, 7842 Hembree Lane, Windsor,* July 22.

[8] Horticultural Associates, 2022. *Tree Inventory Report, 7842 Hembree Lane, Windsor, CA.* Prepared for DRG Builders, June 9.

[9] Horticultural Associates, 2022a. *Tree Inventory Report, Cornell Street Extension.* Prepared for DRG Builders. October 3.

[10] Horticultural Associates, 2022b. *Tree Inventory Report, Undeveloped Areas.* Prepared for DRG Builders. October 12.

woodland. A drainage channel and swale bisect the center of the project site and supports seasonal wetland and a small area of riparian woodland. The site is relatively flat with an approximate elevation range of 117 to 125 feet above mean sea level. The nearest surface water body is Pool Creek, approximately 1,700 feet to the southeast of the project site. The project site is not in a special flood hazard area[11] nor is it in a very high wildfire severity zone.[12] A detailed description of the environmental setting is provided for each environmental topic in Chapter 4, *Environmental Analysis*, of this Initial Study.

3.1.3.2 LAND USE AND ZONING

General Plan

The General Plan land use designation for the project site is Very Low Density Residential (VLDR). This designation provides for a mix of housing types on traditional single-family lots. This is the predominant residential land use pattern in the town and is intended to characterize much of the new housing as well. New development under this classification is encouraged to accommodate a range of housing types to provide greater choices for Windsor residents. Single-family homes, duplexes, and triplexes are compatible with this classification. Other attached unit types may be considered subject to design review to ensure compatibility with single-family detached development. The Very Low Density Residential (VLDR) land use designation allows for a density of three to six dwelling units per acre.[13]

Zoning District

The project site is zoned Surrounding Residential (SR). Pursuant to Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.08, *Residential Zoning Districts*, Section 27.08.020, *Purpose of Residential Zoning Districts*, the Surrounding Residential (SR) zoning district is intended for areas appropriate for a mixture of housing types. The primary housing type with this zoning is single-family homes; however, duplexes and triplexes are encouraged within the allowable density range. The allowable density ranges from three to six dwelling units per acre, consistent with the Very Low Density Residential (VLDR) land use classification of the General Plan.[14] The maximum height permitted for development on the project site is 35 feet.[15]

3.1.3.3 OTHER TOWN OF WINDSOR REQUIREMENTS

This section describes some of the key Windsor Municipal Code (WMC) and Zoning Ordinance environmental protection requirements that apply to the proposed project that are discussed in this Initial

[11] REALM Civil Engineering, Surveying & Land Planning, 2021. *Phase I Environmental Site Assessment, 7842 Hembree Lane, Windsor, California 95492, Sonoma County APN 163-080-047.* July 22.

[12] California Department of Forestry and Fire Protection, FHSZ Viewer, https://egis.fire.ca.gov/FHSZ/, accessed January 8, 2023.

[13] Town of Windsor 2040 General Plan, page 2-6.

[14] Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.08, *Residential Zoning Districts*, Section 27.08.020, *Purposes of Residential Zoning Districts.*

[15] Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.08, *Residential Zoning Districts*, Section 27.08.040, *Residential District General Development Standards*, Table 2-3, *Residential District General Development Standards*.

Study. This section is not intended to be comprehensive and does not include all the WMC standards required for project approval.

Setback Standards

Setback requirements for the Surrounding Residential (SR) zoning district include a front setback between 15 and 25 feet for new projects, with a setback minimum of 25 feet for garages, and a rear setback of 20 feet (five feet for attached garages) and a side setback of five feet, or ten feet on the street side.[16]

Landscaping Requirements

Chapter 27.28, *Landscaping*, is included in Town's Zoning Ordinance, (Title XVII, *Zoning*). The purpose of Chapter 27.28 is to preserve and enhance the positive visual character of the town, and providing cooling shade, oxygen, and filtering of the town's air; to enhance well-designed structures and increase compatibility between abutting land uses and public rights-of-way by providing landscape screening and buffers; and to provide for the conservation and safeguard of water resources through the efficient use of water, appropriate use of plant materials, and regular maintenance of landscaped areas. The provisions of this chapter apply to all proposed development. Pursuant to Section 27.28.030, *Landscape Plan Approval Required*, the project applicant is required to submit a Landscape Plan for approval as part of the project. The requirements for the Landscape Plan are provided in Section 27.27.040, *Landscape Plan Requirements*.[17]

Title XII, *Windsor Water District*, of the WMC, includes Article 9, *Water Efficient Landscape*. This article applies to new development projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check, or design review, requires water efficient landscaping. Projects must complete a soil analysis report to reduce runoff and encourage healthy plant growth, and plants shall not cause the estimated water use to exceed the maximum applied water allowance. Plants with similar water use needs shall be grouped together in distinct hydrozones, and all non-turf plants shall be selected, spaced, and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the site.[18]

Tree Requirements

Chapter 27.36, *Tree Preservation and Protection*, of the Town's Zoning Ordinance, provides regulations for the protection, preservation, and maintenance of native Oak trees and trees of significance, groves and stands of mature trees, and mature trees in general. It is also the intent of this chapter to perpetuate these trees through the replacement of trees removed as a result of a new development. Section 27.36.40, *Protected Trees*, defines the protected trees in the town.[19] A protected tree includes the

[16] Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.08, *Residential Zoning Districts*, Section 27.08.040, *Residential District General Development Standards*, Table 2-3, *Residential District General Development Standard*

[17] Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.28, *Landscaping.*

[18] Town of Windsor Municipal Code, Title XII, *Windsor Water District*, Chapter 3, *Water*, Article 9, *Water Efficient Landscaping*, Section 12-3-912, *Soil Analysis Report***,** and Section 12-3-915, *Landscape Design Plan*.

[19] Town of Windsor Zoning Ordinance, Chapter 27.36, *Tree Preservation and Protection*, Section 27.36.40, *Protected Trees*.

following native oak trees six inches or greater measured at a height of 4.5 feet from existing grade: Black Oak (*Quercus kelloggii*), Valley Oak (*Quercus lobata*), Blue Oak (*Quercus douglasii*), Interior Live Oak (*Quercus wislizenii*), Coast Live Oak (*Quercus agrifolia*), Oracle Oak (*Quercus x morehus*), Oregon Oak (*Quercus garryana*), and Chase Oak (*Quercus x chaseii*), and the following non-native trees: California Buckeye (*Aesculus, californica*) six inches or greater and California Bay (*Umbellularia, californica*) twelve inches or greater. Further, protected trees may also include designated heritage trees, significant groves or stands of trees, mature trees on a parcel of one acre or more, and in some cases smaller trees, any tree required as part of a mitigation measure, and landmark trees. Section 27.36.050, *Preservation of Existing Trees*, includes the requirements for protecting trees to the greatest extent feasible, while Section 27.36.060, *Tree Removal*, describes the procedures for removing and replacing trees in the town. The removal of protected trees requires a permit by the Town. Section 27.36.061, *Tree Mitigation*, sets forth the standards for mitigating impacts to trees as a result of project development. Section 27.36.070, *Tree Protection and Preservation Plan*, describes the content of such a plan where project applicant proposed to remove one or more protected trees, while Section 27.36.080, *Tree Protection Requirements*, sets forth the standards for protecting trees during construction.[20]

Light and Glare Requirements

Section 27.20.030, *General Performance Standards*, under subsection D, *Light and Glare*, of the Town's Zoning Ordinance, outlines general performance standards for light and glare.[21] This section of the WMC requires indirect lighting or lighting to be diffused and directed downward, away from adjacent properties and public rights of-way. Light fixtures are also required to have "house side" reflectors to minimize glare.

Energy and Utilities Requirements

Energy Conservation

The California Green Building Standards Code (Part 11, Title 24, known as "CALGreen") was adopted as part of the California Building Standards Code (Title 24, California Code of Regulations) to apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure, unless otherwise indicated in the California Building Standards Code, throughout the State of California.[22] CALGreen established planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation requiring new buildings to reduce water consumption by 20 percent, material conservation, and internal air contaminants. WMC Title VII, *Building and Housing*, Chapter 2, *California Code of Regulatio*ns, Section 7-2-101*, Adoption by Reference,* adopts the California Code of Regulations, including CALGreen.

[20] Town of Windsor Zoning Ordinance, Chapter 27.36, *Tree Preservation and Protection*, Section 27.36.050, *Preservation of Existing Trees*; Section 27.36.060, *Tree Removal*; Section 27.36.061, *Tree Mitigation*; Section 27.36.070, *Tree Protection and Preservation Plan*; and Section 27.36.080, *Tree Protection Requirements*.

[21] Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.20, *General Property Development and Use Standards*, Section 27.20.030, *General Performance Standards*.

[22] Town of Windsor Municipal Code Title XII, *Windsor Water District*, Chapter 3, *Water*, Article 9, *Water Efficient Landscaping*, Section 12-3-912 and 12-3-915.

The California Energy Code (Part 6, Title 24) was adopted as part of the California Building Standards Code (Title 24) to reduce wasteful and unnecessary energy consumption in newly constructed and existing buildings. WMC Section 7-2-101 also adopts the California Energy Code.

Solid Waste Reduction

CALGreen, adopted by reference in WMC Title VII, *Building and Housing*, requires that a minimum of 65 percent of all non-hazardous construction must be recycled or salvaged and that all applicants have a waste management plan for on-site sorting of construction debris. WMC Title XI, *Solid Waste Management*, outlines general requirements for solid waste, including that all persons generating solid waste within the Town shall maintain sufficient containers issued by waste collection services, including temporary construction debris collection services.

3.2 PROJECT COMPONENTS

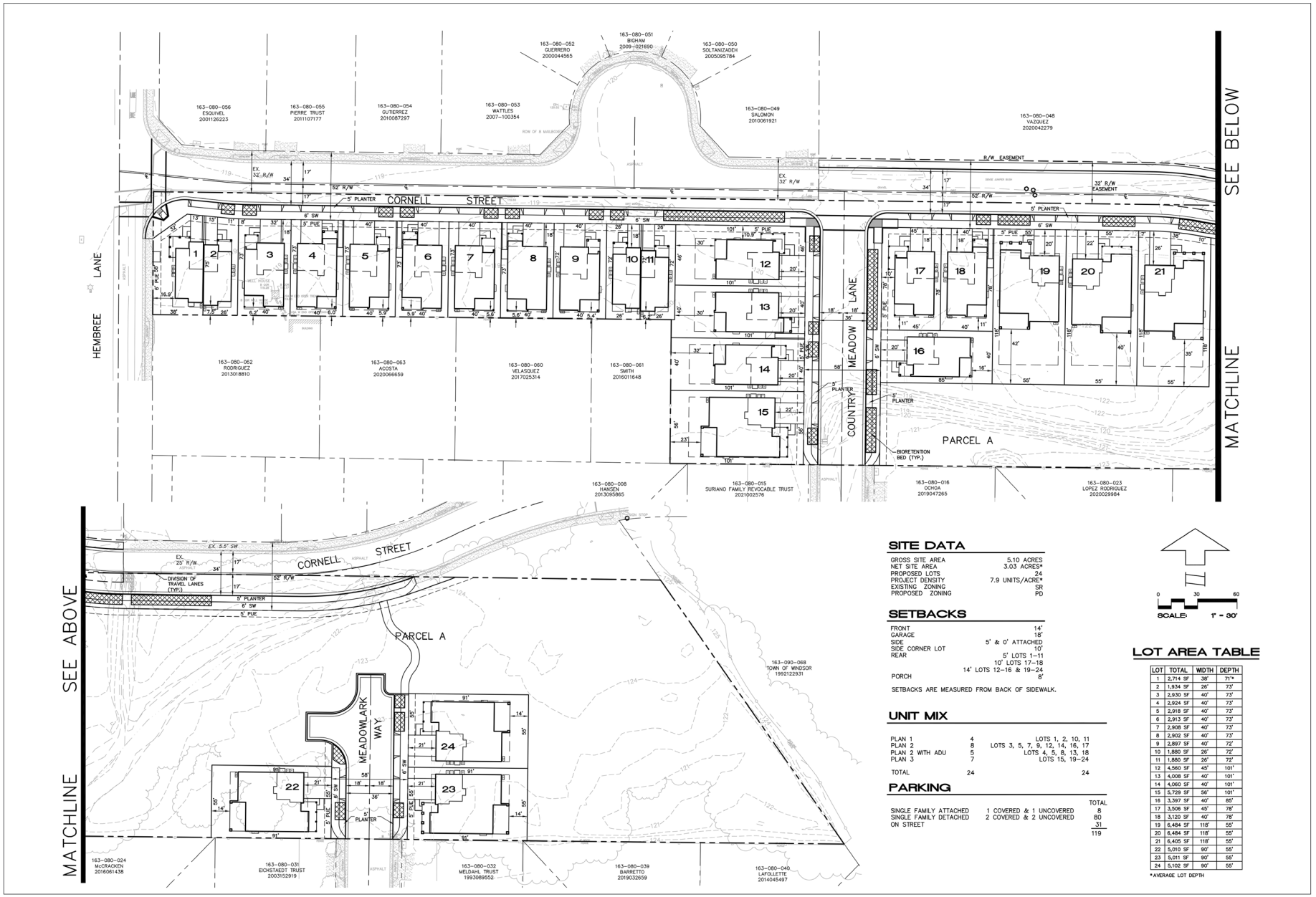
The project applicant proposes an amendment to the zoning district on the project site to Planned Development and to subdivide the 5.1-acre project site to develop three acres with 24 single-family units and associated infrastructure and landscaping, and a passenger waiting shelter for the existing SCT bus stop at the corner of Hembree Lane and Cornell Street. The proposed project would also include the construction of two street extensions to connect Country Meadow Way to Cornell Street and extend Meadowlark Way with a hammerhead turnaround. The remaining 2.1 acres would be dedicated to the Town as permanent open space and an extension of Robbins Park. The conceptual site plan for the proposed project is shown on Figure 3-3, *Proposed Project Site Plan*. The following provides a detailed description of the key project components. A complete set of preliminary site plans are available on the Town's website at https://www.townofwindsor.com/1403/Hembree-Lane-Oaks-Subdivision and at the Town of Windsor Community Development Department at 9291 Old Redwood Highway, Windsor, CA 95492.

3.2.1 ZONING AMENDMENT

The proposed project would change the zoning designation to Planned Development (PD) to preserve biological resources (including a dense grove of trees, mature oaks, and a vernal pool), and allow clustered development, including reduced setbacks and smaller lots than required by the Surrounding Residential (SR) district. The Planned Development (PD) zoning district is intended for sites where the Town desires to achieve a particular mix of uses, appearance, land use compatibility, or special sensitivity to natural resources, including oak trees and vernal pools. The Planned Development (PD) zoning district is consistent with all land use classifications of the General Plan.[23]

[23] Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.08, *Residential Zoning Districts*, Section 27.08.020, *Purposes of Residential Zoning Districts.*

PROJECT DESCRIPTION



Source: Civil Design Consultants, Inc., 2022.

0 120
Scale (Feet)

Figure 3-3
Proposed Project Site Plan

3.2.2 RESIDENTIAL UNITS

As shown on Figure 3-3, the proposed 24 single-family units are along the northern boundary, down the center, and in the southeastern portion of the project site. Three of the units would be in the southeast side of the project site fronting the proposed extended Meadowlark Way, five of the units would be down the center of the site fronting the proposed extended Country Meadow Lane, and 16 of the units would be along the northern boundary of the site fronting Cornell Street. The lot sizes would range between 1,880 to 6,484 square feet. The proposed residential units would range in size from 1,395 to 2,911 square feet and feature open living plans with three- and four-bedroom arrangements in two-story building profiles. The proposed residential units would have a maximum height of 29 feet and they would be built conforming to three plan types described as follows:

- Plan One: The Plan One type would be applied to the proposed residential units on Lots 1, 2, 10, and 11 and would features three bedrooms and two baths upstairs with an open living plan downstairs and an attached one-car garage. The Plan One type would be paired together and reserved for the affordable market, priced accordingly to the Town's affordability formula. The Plan One type units would have a square footage of 1,938 square feet each.
- Plan Two: These units would feature two different two-story configurations, with and without a studio apartment that could be used as a potential ADU. The proposed residential units on Lots 3, 5, 7, 9, 12, 14, 16, and 17 would not include the studio apartment option and would be a three-bedroom, two-bath unit with a loft layout and a total square footage of 1,938 square feet. The proposed residential units on Lots 4, 6, 8, 13, and 18 would include the studio apartment option. These units would include a 1,760-square-foot two-bedroom, two-bath unit with a 317-square-foot studio apartment. The studio apartment would have its own exterior entry. Both of these arrangements would include a two-car garage.
- Plan Three: The Plan Three type would be applied to proposed residential units on Lot 15 and Lots 19 through 24. These would feature three bedrooms with two baths and a second family room upstairs, with a large open living area, flex room, master suite and half-bath downstairs and an attached two-car garage. Plan Three residential units would have a total home square footage of 2,911 square feet. This plan also offers a master suite option upstairs as well as a downstairs option for an expanded two-car garage and guest suite.[24]

While the proposed project is subject to design review by the Town of Windsor, the preliminary site plans describe that a variety of materials, including horizontal cementitious board siding, board-and-batt cementitious siding, and one-coat stucco could be used to articulate the building surfaces and to provide subtle variety in the texture of the building elements. Natural colors and earth tones are tentatively proposed for the stucco base and siding. Porches with railings would provide pedestrian-scale elements to the design and encourage walkability and neighborhood surveillance.

[24] Civil Design Consultants Inc., Design Concept Narrative, Page 2.

3.2.3 POPULATION ESTIMATES

Based on an estimated average household size of 2.96 persons for the year 2025,[25] the proposed residential units would generate 71 new residents.[26] It is anticipated that future residents and employees would be drawn largely from Windsor and other communities in Sonoma County and the overall San Francisco Bay Area.

3.2.4 CIRCULATION AND ACCESS

3.2.4.1 STREET EXTENSIONS

The proposed project includes the extension of three existing streets: Country Meadow Lane, Cornell Street, and Meadowlark Way. Each street extension would be built to meet the Town of Windsor Residential Street standards and as shown on Figure 3-3, would be a total of 36-feet wide with two 18-foot-wide lanes on Country Meadow Lane and Meadowlark Way, and a total of 34-feet wide with two 17-foot wide lanes on Cornell Street. Stormwater low impact design features would be incorporated into the street design and within the public right-of-way. The proposed extensions are described as follows:

- Country Meadow Lane. The extension of Country Meadow Lane would connect Cornell Street to Billington Lane. The proposed extension would create a three-legged T-intersection at Cornell Street with a stop sign on Country Meadow Lane. There would be no restricted turn movements at this new intersection.
- Cornell Street. The proposed extension of Cornell Street would connect the two existing sections of Cornell Street that roughly extend the distance between Country Meadow Lane and Meadowlark Way.
- Meadowlark Way. The proposed extension of Meadowlark Way would not connect all the way to Cornell Street, but instead would result in a new hammerhead turn around on Meadowlark Way. A hammerhead turnaround is a "T" or "L" shaped dead-end street that allows for vehicles to turn around. The proposed extension on Meadowlark Way would eliminate the existing dead end and facilitate circulation to new and existing users of this roadway, including providing direct access to three new single-family lots.

3.2.4.2 VEHICULAR ACCESS

Vehicular site access to the single-family units would be provided via private driveways on Cornell Street, Country Meadow Lane, and Meadowlark Way. As shown on Figure 3-3, the proposed residential units on Lots 1 through 11 and Lots 17 through 21 would be accessed directly from Cornell Street, Lots 12 through 16 would be accessed by the proposed Country Meadow Lane extension that connects Cornell Street to Billington Lane, and Lots 22 through 24 would be accessed by the new extension on Meadowlark Way.

[25] This analysis is based on the Association of Bay Area Governments (ABAG) 2025 projections of the average household size of 2.96 persons for Windsor. Plan Bay Area, 2017. Projections 2040. http://projections.planbayarea.org/, accessed May 13, 2022.

The proposed emergency access route would be the same as the proposed vehicle access routes. Waste management vehicles would follow the same vehicle route as well. Emergency vehicles would access the proposed new units via the existing roadways and proposed extensions of Country Meadow Lane and Meadowlark Way. Emergency vehicles would use the proposed street extensions to enter and exit the project site. Emergency vehicles would have access to the existing fire hydrants in the project area on Hembree Lane, Cornell Street, Country Meadow Lane, Sparrow Court, and Meadowlark Way. The turning radii at proposed intersections would be designed to meet the Town of Windsor Residential Street standards and would be adequate for emergency vehicles and garbage trucks alike. Garbage collection would occur along the frontage of each residential lot. The new residents would need to wheel out garbage bins along their residence for pick-up. The trash bins would be required to be removed immediately after garbage pickup as to not inhibit access to the roadway and on-street parking.

3.2.4.3 PEDESTRIAN AND BICYCLE ACCESS

The proposed project would connect to the existing pedestrian access to the project site in the area that is currently is provided via existing sidewalks along both sides of Hembree Lane and the and the north side of Cornell Street. The project proposes to provide a continuous sidewalk along the south side of Cornell Street, including the portion to be extended to the east. Additionally, the proposed project would provide sidewalks on both sides of the extended portions of Country Meadow Lane and Meadowlark Way, which will conform to the existing sidewalks on both roadways. All proposed sidewalks would be standard six-feet-wide and ADA-compliant. A walking path through the site connects the sidewalk on the east side of Meadowlark Way to the sidewalk on the south side of Cornell Street. There are no bicycle facilities proposed as part of the project.

3.2.4.4 TRANSIT PASSENGER SHELTER

The proposed project is also near SCT local bus route 66 that travels in a circular pattern around the town of Windsor. The proposed project would construction a passenger waiting shelter for the existing bus stop at the corner of Hembree Lane and Cornell Street. The passenger waiting shelter would be designed to meet the SCT's shelter specifications. The shelter would include an eight foot by six foot concrete pad and would provide access to electrical for shelter lighting. The proposed project would also designate a no-parking zone for the length of the project frontage along Hembree Lane for the bus stop.

3.2.5 LANDSCAPING

Figure 3-4, *Proposed Landscape Plan*, illustrates the proposed landscaping plan. The proposed project would include low-fuel and durable landscape to create layers of color and texture complementing the architecture style of each home and the surrounding setting. Planting would include a mixture of native and climate-appropriate trees, shrubs, and groundcover with deer resistance. The landscape would meet all aspects of the Town's Water Efficient Landscape Ordinance by consisting of drought tolerant plant species separated into hydro-zones.[27] The proposed project includes the removal of trees conflicting with

[27] Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.28, *Landscaping*

design plans. Street trees would include Pistacia C, 'Keith Davey' (Pistacia 'Keith Davey') trees would be planted along the length of the project site on Cornell Street and Marina Strawberry trees (Arbutus 'Marina') would be planted along the proposed Country Meadow Lane and Meadowlark Way extensions. Valley Oak (Quercus Lobata) would be planted at the end of the proposed Meadowlark Way extension along with Crape Myrtle (Lagerstroemia Indica) trees.

3.2.6 LIGHT AND GLARE

The source, intensity, and type of exterior lighting for the proposed residential units would generally be provided for the purpose of orienting site users and for safety needs. In accordance with Section 27.20.030, *General Performance Standards*, under subsection D, *Light and Glare*, of the Town's Zoning Ordinance [28] all permanent on-site lighting would be low-level illumination, downward directed, and shielded to reduce light spill or glare into surrounding existing homes or Robbins Park. The proposed project would not include reflective glass.

3.2.7 UTILITIES AND ENERGY

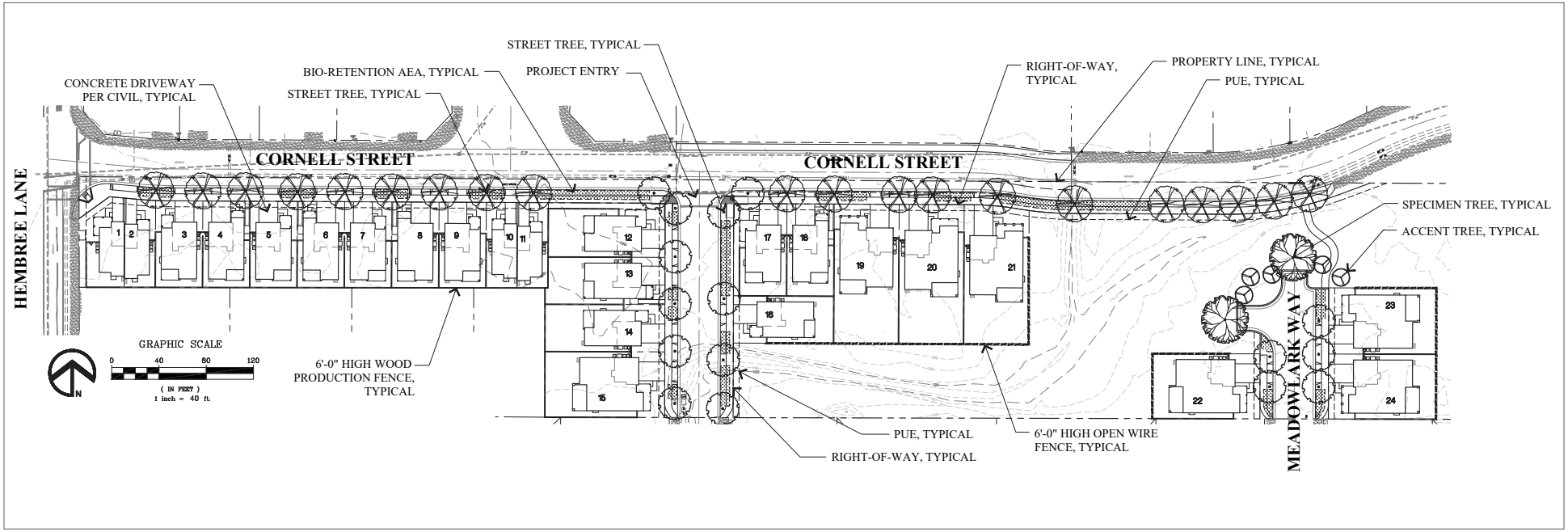
The proposed utility infrastructure would connect to the existing water, sewer, storm drain system, natural gas, and would be served by an existing solid waste landfill. The project will be designed to incorporate elements from CALGreen requirements with adopted Tier 1 Standards. The proposed residential units would be built with energy and water efficient design measures such as solar power, electric charging stations in the garages, and water efficient landscaping. The homes would include high efficiency lighting, energy efficient appliances, and low flow plumbing faucets and fixtures. The builder would also utilize a construction waste recycling program to minimize waste to the extent practicable. The proposed residential units would be designed to be approximately ten to 15 percent more energy efficient than the 2022 Building Energy Efficiency Standards.

3.2.7.1 WATER SUPPLY

The proposed project would connect to existing water supply infrastructure surrounding the project site. Any new connections or replaced water lines would not encroach on undisturbed areas. As part of the proposed project, the existing eight-inch water main along Cornell Street would be extended farther to the east and connect to existing infrastructure. A new eight-inch main would branch from the Cornell Street main and extend south along Country Meadow Lane. Additionally, the existing eight-inch water main along Meadowlark Way would be extended to the north. The proposed project would connect to the Town's existing water supply either through connections to the existing eight-inch water main along Cornell Street or to the planned extensions of the water mains along Cornell Street, Country Meadow Lane or Meadowlark Way.

[28] Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.20, *General Property Development and Use Standards*, Section 27.20.030, *General Performance Standards*.

PROJECT DESCRIPTION



Source: Ripley Design Group, 2022.

0 120
Scale (Feet)

PRELIMINARY TREE PALETTE

BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
SPECIMEN TREE			
QUERCUS LOBATA	VALLEY OAK	24" BOX	LOW
STREET TREES			
ARBUTUS 'MARINA'	MARINA STRAWBERRY TREE	24" BOX	LOW
PISTACIA 'KEITH DAVEY'	PISTACIA C. 'KEITH DAVEY'	24" BOX	LOW
ACCENT TREES			
LAGERSTROEMIA INDICA	CRAPE MYRTLE	24" BOX	LOW

NOTES:

1. ALL TREES SHALL BE PLANTED AND STAKED PER CITY STANDARDS.
2. TREES BE PLANTED WITHIN 3' OF HARDSCAPE ELEMENTS, SHALL HAVE A LINEAR ROOT BARRIER INSTALLED ADJACENT TO THE HARDSCAPE ELEMENT AT TIME OF TREE PLANTING.
3. LANDSCAPE AND IRRIGATION SHALL COMPLY WITH CITY'S CURRENT WATER-EFFICIENT LANDSCAPE ORDINANCE.
4. ALL PLANTING AREAS SHALL BE AUTOMATICALLY IRRIGATED PER CITY STANDARDS. USING LOW-FLOW SPRAY, BUBBLERS OR DRIP METHODS.
5. ALL PLANTING AREAS SHALL BE MULCHED TO A MINIMUM DEPTH OF 3".

Figure 3-4
Proposed Landscape Plan

3.2.7.2 SANITARY SEWER SERVICE

There are no septic systems at the project site, and the proposed project would not implement septic systems. The proposed project would connect to existing sewer infrastructure surrounding the project site and the existing six-inch sewer pipeline along Cornell Street and Meadowlark Way would be extended along the planned streets to serve the new residences.

3.2.7.3 STORMWATER MANAGEMENT

Stormwater runoff from most of the project would be transported via curb and gutter to bio-retention areas along the planter strips within the proposed public street improvements. Runoff would enter the bio-retention beds through curb openings and be given the opportunity to infiltrate in underground volume capture before entering the underground drainage system. Due to site constraints, some of the runoff from the westbound lane of Cornell Street within tributary areas cannot be directed to planter-based bio-retention beds. In order to achieve 100 percent volume capture, the bio-retention beds within this area were sized to include the runoff produced by the westbound lane of Cornell Street. These features would capture, treat and reduce peak runoff flows prior to conveyance to the Town's storm drain system beneath Cornell Street, Country Meadow Lane and Meadowlark Way.

Each proposed lot would be planted with at least two street trees that will be considered as interceptor trees. Flogard Catch Basin Insert filter devices would be installed at the proposed and existing catch basins along contiguous sidewalks in order to assure that areas not draining to a bio-retention bed would have a treatment device to capture trash and other pollutants prior to entering the underground storm drain system.[29] Treatment control devices serving the proposed project would be within the public right-of-way.

3.2.7.4 SOLID WASTE SERVICES

Sonoma County Resource Recovery provides collection, transportation, processing, and disposal of garage, recyclable materials, and organic waste for the Town of Windsor.[30] The Sonoma County Waste Management Agency provides hazardous waste collection and disposal. Currently waste is disposed at the Healdsburg Transfer Station before processing.[31] Much of the solid waste generated is transported to the Sonoma County Central Landfill.[32] The General Plan EIR concluded that projected growth accommodated by the General Plan would increase solid waste generation but would not have a significant impact on the capacity of the Central Disposal Site Landfill.[33]

[29] Civil Design Consultants Inc., Initial Storm Water Low Impact Development Submittal, Project Description, page 10

[30] Town of Windsor, Solid Waste Services, https://www.townofwindsor.com/481/Garbage, accessed on May 15, 2022.

[31] Town of Windsor 2040 General Plan Final Environmental Impact Report SCH #2016112065, page 324.

[32] Zero Waste Sonoma. Zero Waste Resolution, https://zerowastesonoma.gov/reduce/commercial/zero-waste-resolution, accessed May 15, 2022.

[33] Town of Windsor 2040 General Plan Final Environmental Impact Report SCH #2016112065, page 334.

3.2.7.5 OTHER UTILITIES (GAS, ELECTRIC, AND CABLE)

The proposed project would connect to the surrounding, existing energy infrastructure maintained by Pacific Gas and Electric Company (PG&E). The proposed project would be built with sustainability as a key component of its design by including high-efficiency lighting, energy efficient appliances, low flow plumbing faucets and fixtures, and electric charging stations in the garages as required by CALGreen adopted Tier 1 Standards. These design elements would be designed to be approximately ten to 15 percent more energy efficient than the 2022 Building and Energy Efficiency Standards[1] and CALGreen requirements.

Telecommunications services for the town of Windsor are provided by a variety of service providers, including AT&T, Comcast, Frontier Communications, HughesNet, Dish Satellite, Sonic, and Viasat.[34]

3.2.8 DEDICATED OPEN SPACE

The proposed project would dedicated approximately 2.1 acres to the Town as permanent open space to be preserved in perpetuity, which would become an extension of Robbins Park. The approximately 2.1 acres includes the denser valley oak woodland, including most of the mature specimen valley oak trees with trunk diameters greater than 24 inches. Improvements in the open space area would include creek restoration, landscaping, and a walking path. The Development Agreement would require a maintenance agreement for the open space and its related resources and amenities.

3.2.9 SITE PREPARATION AND CONSTRUCTION

The approximately 24-month (two-year) construction period is assumed to begin in October 2023 and end in October 2025. Construction work would be conducted between 7:00 a.m. and 7:00 p.m. Monday through Friday, which would be in compliance with WMC Section 7-1-1018, *Construction Hours*.[35] The soil would be balanced on site and no soil would be hauled offsite.

The project construction would consist of approximately 25,923 square feet of building footprint, with 51,846 total building square feet. The proposed project would include 6,632 square feet of surface parking (driveways), 23,604 asphalt to be paved (roadways), and 23,200 square feet of total ground floor hardscape (concrete curbs, sidewalks, etc.). No pile driving, rock blasting, or crushing would occur during the construction phase. Typical equipment to be used during site preparation and construction of the project would likely include excavators, graders, rubber-tired dozers, tractors/loaders/backhoes, and concrete/industrial saws.

During construction, vehicles, equipment, and materials would be staged and stored on a centrally located portion of the project site when practical. No long-term staging of equipment would occur around the

[34] Town of Windsor. Internet, Cable & Telephone Service. https://www.townofwindsor.com/478/Internet-Cable-Telephone-Service, accessed May 15, 2022.

[35] Town of Windsor Municipal Code Title VII, *Building and Housing*, Chapter 1, *General*, Article 1, *Purpose*; *Administration*, Section 7-1-1018, *Construction Hours*.

perimeter of the site where adjacent to existing residential uses. The construction site and staging areas would be clearly marked, and construction fencing would be installed to prevent disturbance and safety hazards. A combination of on- and off-site parking facilities for construction workers would be identified during grading and construction.

3.3 REQUIRED PERMITS AND APPROVALS

Following approval of this Initial Study /Mitigated Negative Declaration and the proposed project, the following discretionary permits and approvals would be required for the proposed project:

- Site Plan and Design Review
- Tentative Subdivision Map
- Planned Development (Rezone)
- Development Agreement
- 401 permit from Water Board
- US Army Corps of Engineers
- California Fish and Wildlife Department
- Clearing and Grading Permits
- Development Permits

In addition, encroachment permits from the Town would be required for any work performed within the public right-of-way and design approval for the proposed passenger waiting shelter would be required by the SCT.

PROJECT DESCRIPTION

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4. Environmental Analysis

4.1 ENVIRONMENTAL TOPICS WITH NO IMPACT

CEQA Guidelines Section 15128, *Effects Not Found to Be Significant*, allows environmental issues to be "scoped out" if there is no likelihood of a significant impact, and those issues do not need to be analyzed further in the environmental analysis. This following explains the reasoning for the determination that the proposed project would have no effect to agriculture, forestry, and mineral resources and are therefore, not evaluated in Section 4.2, *Environmental Topics Evaluated for Potential Impacts*, of this Initial Study.

4.1.1 AGRICULTURAL AND FORESTRY RESOURCES

Due to the project's location in a primarily urbanized setting, the project would not have a significant effect on agriculture and forestry resources. The project site is currently developed with urban uses. Maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency categorize the project site as Urban and Built-Up Land; the project site does not contain farmland or grazing land.[36] The project site also does not contain forestland or timberland. Neither the project site nor the immediately surrounding properties are subject to Williamson Act contracts. Consequently, there would be *no impact* regarding agriculture and forestry resources and this issue will not be discussed further.

4.1.2 MINERAL RESOURCES

The California Department of Conservation Geological Survey (CGS) classifies lands into Aggregate and Mineral Resource Zones (MRZs) based on guidelines adopted by the California State Mining and Geology Board, as mandated by the Surface Mining and Reclamation Act of 1974. These MRZs identify whether known or inferred significant mineral resources are present in areas. The project site is not in an MRZ. Therefore, there would be *no impact* with regard to the loss of a valuable mineral resource and this issue will not be discussed further.

[36] California Department of Conservation. *California Important Farmland Finder*. Available at: https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed June 8, 2022.

4.2 ENVIRONMENTAL TOPICS EVALUATED FOR POTENTIAL IMPACTS

I. AESTHETICS

Except as provided in Public Resources Code Section 21099 (transit priority area/major transit stop), would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Have a substantial adverse effect on a scenic vista?	❒	❒	■	❒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	❒	❒	■	❒
c) Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	❒	❒	■	❒
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	❒	❒	■	❒

GENERAL PLAN EIR

Chapter 4.1, *Aesthetics*, of the General Plan EIR, addressed the impacts to visual resources associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The EIR concluded that implementation of the General Plan would have a less-than-significant impact on scenic vistas and resources as well as visual character and quality, requiring no mitigation. However, the General Plan EIR determined that, generally, implementation would have a significant-but-mitigable impact associated with light and glare, due to a lack of specification in how General Plan policies would reduce anticipated light and glare from new development facilitated by the General Plan. In response, the General Plan EIR required General Plan EIR Mitigation Measure AES-1, which required the Town to update General Plan Policy LU-1.13, *Design to Protect Night Skies*, to read that the Town shall protect dark/night skies by requiring outdoor lighting to be shielded and/or directed downward to limit overspill and glare, without compromising the safety and security of the community, through implementation of lighting standards in a "Dark Skies" ordinance with guidance from the Model Lighting Ordinance approved by the International Dark-Sky Association and the Illuminating Engineering Society of North America. Note, this mitigation is a requirement of the Town and not individual development projects. However, compliance with General Plan Policy LU-1.13 is a requirement of individual development projects.

EXISTING CONDITIONS

The site is currently undeveloped and covered in a mix of vegetation, including mature trees. The project site is not a public viewing point for scenic resources, nor is it on a State Scenic Highway.[37] The project site is to the east of the Town-designated scenic corridor Highway 101; however, views of the site from this corridor are blocked by existing development including the sound wall along Highway 101. The General Plan names views of Mayacamas mountain range in the east and the Coastal Range ridgeline to the north as a scenic resource as viewed from throughout the Town.

There are no existing sources of light and glare on the project site. However, there are sources of light and glare from existing development in the area surrounding the project site. As previously described, the project site is surrounded by residential uses to the north, south and west, and parkland to the east. The project site is bounded by Cornell Street on the north, Robbins Park on the east, residential uses on the south, and Hembree Lane on the west. The intersection of Hembree Lane and Cornell Street is at the northwest corner of the project site, where there is a bus stop operated by the SCT. Streetlights along the surrounding roadways, as well as headlights from oncoming traffic are a prominent source of light in the vicinity. Traffic along the surrounding roadways is also a source of glare.

DISCUSSION

a) Would the proposed project have a substantial adverse effect on a scenic vista?

The proposed project would have the potential to affect scenic vistas and/or scenic corridors if the redevelopment on the project site blocked views of areas that provide or contribute to such vistas. Potential effects could include blocking views of a scenic vista/corridor from specific publicly accessible vantage points or the alteration of the scenic vista/corridor. Such alterations could be positive or negative.

Public views of scenic corridors are views seen along a linear transportation route and public views of scenic vistas are views of specific scenic features. Scenic vistas are considered to be long-range views, while scenic corridors are comprised of short-, middle-, and long-range views. Due to the existing built environment, the proposed project would not be visible from the nearest Town-designated scenic corridor, Highway 101, and due to the height of the proposed residential units, up to 29 feet tall, the proposed residential units on the site would not obstruct views of the recognized scenic vistas, Mayacamas mountain range in the east and the Coastal Range ridgeline to the north.

While the project site is not considered a destination public viewing point, it is adjacent to Robbins Park where visitors have an expectation to enjoy the open space, which could include viewing the scenic resources surrounding the town. The proposed project would introduce new two-story housing that is similar to the surrounding residential development and would not obstruct any views of scenic vistas from users or Robbins Park.

[37] California Department of Transportation. *List of Eligible and Officially Designated State Scenic Highways.* Available at: https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways. Accessed June 8, 2022.

As described, impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

b) Would the proposed project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

According to the California Scenic Highway Mapping System, the project site is not within the vicinity of an officially designated State Scenic Highway.[38] The nearest eligible state-designated scenic highway to the project site is State Route 12, approximately eight miles south in the city of Santa Rosa. Therefore, the proposed project would not damage scenic resources within a state scenic highway. Accordingly, impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

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

Public views of the project site are available to pedestrians and bicyclists and motorists traveling on the adjacent roadways, which as described include Cornell Street on the north, Robbins Park on the east, residential uses on the south, and Hembree Lane on the west. The proposed project would introduce 24 new two-story (29 feet tall), single-family homes on the site that is currently undeveloped. While the proposed project would change the appearance of the site from the mix of vegetation, including mature trees, to a developed area, the proposed project is compatible with the surrounding single-family homes in the area. Further, the proposed project would dedicate 2.1 acres of open space to expand Robbins Park, which would maintain the existing visual character of the site. As described in Section 3.2.2, *Residential Units*, while the proposed project is subject to design review by the Town of Windsor, the preliminary site plans describe that a variety of materials, including horizontal cementitious board siding, board-and-batt cementitious siding, and one-coat stucco could be used to articulate the building surfaces and to provide subtle variety in the texture of the building elements. Natural colors and earth tones are tentatively proposed for the stucco base and siding. Porches with railings would provide pedestrian-scale elements to the design and encourage walkability and neighborhood surveillance. Accordingly, the project would contain design features consistent with the surrounding land uses and would not substantially degrade the existing visual character or quality of public views of the site and its surroundings.

While the project is not in an urbanized area,[39] the proposed project would not conflict with applicable zoning or other regulations governing scenic quality. The project site's General Plan land use designation is Very Low Density Residential (VLDR), which allows residential densities compatible with the surroundings.

[38] California Department of Transportation. *List of Eligible and Officially Designated State Scenic Highways.* Available at: https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways. Accessed June 8, 2022.

[39] CEQA Guidelines Section 21071, *Urbanized Area Definition*, defines an "urbanized area" for an incorporated town such as Windsor, if the town has a population of at least 100,000 persons or if the town has a population of less than 100,000 persons and if the population of that town, and not more than two contiguous incorporated towns combined, equals at least 100,000 persons.

The maximum height of the proposed residential units is 29 feet, which is consistent with the 35 foot maximum height established for the Surrounding Residential (SR) zoning district. The proposed project includes a zoning amendment to change the project site to Planned Development (PD) to allow for the mixture of uses, appearance, land use compatibility, or special sensitivity to natural resources, including oak trees and vernal pools.[40] The proposed zoning amendment would not result in allowed changes to the site that would change the visual character of the area from what is currently permitted under the existing zoning district.

Furthermore, as described in Section 3.2.5, *Landscaping*, the proposed project would include low-fuel and durable landscape to create layers of color and texture complementing the architecture style of each home and the surrounding setting. Planting would include a mixture of native and climate-appropriate trees, shrubs, and groundcover with deer resistance. While the proposed project includes the removal of trees conflicting with design plans, the proposed street trees would include along the length of the project site on Cornell Street, and the proposed Country Meadow Lane and Meadowlark Way extensions, would buffer direct views of the proposed residential units and complement the existing neighborhood. As described in Section 3.1.3.3, *Other Town of Windsor Requirements*, the project applicant would be required to submit a Landscape Plan for approval by the Town as part of the project. The landscape and irrigation systems would meet all aspects of the Town's Water Efficient Landscape Ordinance by consisting of drought tolerant plant species separated into hydro-zones to ensure sustainability over the life of the landscaping and street trees.[41]

In summary, the proposed project would not substantially degrade the character or quality of the site or its surroundings, or conflict with an applicable zoning and other regulations governing scenic quality. Based on this, impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant.*

d) Would the proposed project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

For purposes of this analysis, light refers to nighttime illumination generated by a source of light. Stationary sources of light may include exterior parking lots and building security lighting, and interior lights emanating through windows. Mobile sources of light include vehicle headlights on surrounding roadways. Streetlights and other security lighting also serve as sources of nighttime illumination.

Glare, which occurs in the daytime and nighttime, is defined as focused, intense light emanated directly from a source or indirectly when light reflects from a surface. Daytime glare may be caused in large part by sunlight shining on highly reflective surfaces at or above eye level. Reflective surfaces area associated with buildings that have expanses of polished or glass surfaces, light-colored pavement, and the windshields of parked cars.

[40] Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.14.020 B, *Planned Development District.*
[41] Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.28, *Landscaping.*

Nighttime illumination and glare impacts are the effect on adjoining uses and areas from a project's exterior lighting. Light and glare impacts are determined through a comparison of the existing light sources with the proposed lighting. There are no existing sources of light and glare on the project site. However, there are sources of light and glare from existing development in the area surrounding the project site. Additional light and glare in the overall area is caused by vehicle traffic on surrounding roadways.

The source, intensity, and type of exterior lighting for the proposed residential units and walking path would generally be provided for the purpose of orienting site users and for safety needs. The proposed project would generate new sources of nighttime illumination from windows associated with the proposed residential units and associated vehicle movement to and from the homes would result in temporary increases of light. Glare may occur from sunlight reflected the windows of homes and parked cars during certain times of the day.

Consistent with Section 27.20.030, *General Performance Standards*, under subsection D, *Light and Glare*, of the Town's Zoning Ordinance [42] all permanent on-site lighting for the proposed project would be low-level illumination, downward directed, and shielded to reduce light spill or glare into surrounding residential homes or Robbins Park. The proposed project would not include reflective glass. The new sources of light and glare would be consistent with the type of lighting anticipated for the project site pursuant to the General Plan land use and zoning designations for the site, even with the proposed zoning amendment. For these reasons, the impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

II. AIR QUALITY

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	❒	❒	■	❒
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under applicable federal or State ambient air quality standard?	❒	■	❒	❒
c) Expose sensitive receptors to substantial pollutant concentrations?	❒	■	❒	❒
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	❒	❒	■	❒

[42] Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.20, *General Property Development and Use Standards*, Section 27.20.030, *General Performance Standards*.

GENERAL PLAN EIR

Chapter 4.3, *Air Quality*, of the General Plan EIR, addressed the impacts to air quality associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The General Plan EIR concluded buildout would result in significant-but-mitigable impacts stemming from the temporary generation of air pollutants during construction.

Temporary construction impacts would be reduced through implementation of General Plan EIR Mitigation Measure AQ-1, which would result in a less-than-significant impact. General Plan EIR Mitigation Measure AQ-1 required project applicants to incorporate the Bay Area Air Quality Management District (BAAQMD) Basic Construction mitigation measures to reduce construction emissions for reactive organic gases, nitrogen oxides, and particulate matter (PM_{10} and $PM_{2.5}$). General Plan EIR Mitigation Measure AQ-1 requires that development projects comply with the following during construction activities:

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, with priority given to the use of recycled water for this activity when feasible.
2. All haul trucks transporting soil, sand, or other loose material off-site 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 miles per hour.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
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.

The Town shall also require that development projects incorporate feasible measures that reduce operational emissions for reactive organic gases, nitrogen oxides, and particulate matter (PM_{10} and $PM_{2.5}$).

The General Plan EIR found all other impacts to be less than significant without mitigation. While Chapter 4.3 of the General Plan EIR addresses the impacts associated with the development on the project site, as previously stated, the analysis was performed at a program level. This section analyzes the types and quantities of air pollutant emissions that would be generated by the construction and operation of the proposed project.

EXISTING CONDITIONS

The project site is currently an undeveloped parcel of land with no existing structures, which provides informal paths that are used by nearby residents. Thus, the project site does not generate any criteria air pollutants from transportation sources, energy (natural gas and purchased energy), and area sources such as architectural coatings.

DISCUSSION

This section addresses the impacts of the proposed project on ambient air quality and the exposure of people, especially sensitive individuals, to unhealthful pollutant concentrations. A background discussion on the air quality regulatory setting, meteorological conditions, existing ambient air quality in the vicinity of the project site, and air quality modeling can be found in Appendix A, *Air Quality and Greenhouse Gas Emissions Data*, and the construction health risk assessment (HRA) is included in Appendix B, *Health Risk Assessment*, of this Initial Study.

Air Pollutants of Concern

Criteria Air Pollutants

Pollutants emitted into the ambient air by stationary and mobile sources are regulated by federal and State law under the National and California Clean Air Act, respectively. Air pollutants are categorized as primary and/or secondary pollutants. Primary air pollutants are those that are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxides (NO_x), sulfur dioxide (SO_2), coarse inhalable particulate matter (PM_{10}), fine inhalable particulate matter ($PM_{2.5}$), and lead (Pb) are primary air pollutants. Of these, all of them except for ROGs are "criteria air pollutants," which means that ambient air quality standards (AAQS) have been established for them. The National and California AAQS are the levels of air quality considered to provide a margin of safety in the protection of the public health and welfare. They are designed to protect those "sensitive receptors" most susceptible to further respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed.

Areas are classified under the federal and California Clean Air Act as either in attainment or nonattainment for each criteria pollutant based on whether the AAQS have been achieved. The San Francisco Bay Area Air Basin (SFBAAB), which is managed by the Bay Area Air Quality Management District (BAAQMD or Air District), is nonattainment area for California and National O_3, California and National $PM_{2.5}$, and California PM_{10} AAQS. BAAQMD has identified thresholds of significance for criteria pollutant emissions and criteria air pollutant precursors, including ROG, NO_x, PM_{10}, and $PM_{2.5}$. Development projects below the regional significance thresholds are not expected to generate sufficient criteria pollutant emissions to violate any air quality standard, contribute substantially to an existing or projected air quality violation, or substantially contribute to health impacts.

Toxic Air Contaminants

In addition to criteria air pollutants, both the State and federal government regulate the release of TACs. The California Health and Safety Code define a TAC as "an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health." A substance that is listed as a hazardous air pollutant pursuant to Section 112(b) of the federal Clean Air Act (42 United States Code Section 7412[b]) is a toxic air contaminant. Under State law, the California Environmental Protection Agency, acting through the California Air Resources Board (CARB), is authorized to identify a substance as a TAC if it determines that the substance is an air pollutant that may cause or contribute to an increase in mortality or serious illness, or may pose a present or potential hazard to human health. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

a) Would the proposed project conflict with or obstruct implementation of the applicable air quality plan?

The BAAQMD is directly responsible for reducing emissions from area, stationary, and mobile sources in the SFBAAB to achieve National and California AAQS. In April 2017, BAAQMD adopted its 2017 Clean Air Plan, which is a regional and multiagency effort to reduce air pollution in the SFBAAB. Regional growth projections are used by BAAQMD to forecast future emission levels in the SFBAAB. For the Bay Area, these regional growth projections are provided by the Association of Bay Area Governments (ABAG) and transportation projections are provided by the Metropolitan Transportation Commission (MTC) and are partially based on local land use designations, such as those identified in the Town's General Plan. Typically, only large, regionally significant projects have the potential to affect the regional growth projections.

The proposed project would construct a total of 24 single-family residential lots and approximately 2.1 acres of the eastern portion at the site would be dedicated to the Town of Windsor as an open space preserve. Development of the proposed project would not exceed the maximum Very Low Density Residential land use designation limit of six dwelling units per acre currently permitted in the General Plan. Therefore, the proposed project would not result in any additional new population growth or employment growth beyond what was envisioned by the Town's General Plan and subsequently accounted for in the ABAG/MTC regional growth forecasts.

Moreover, as discussed in Section XII, *Population and Housing*, the proposed project would not exceed the level of population or housing projected in ABAG/MTC regional planning efforts (*Plan Bay Area*) through 2050, and it would not have the potential to substantially affect housing, employment, and population projections within the region, which is the basis of the 2017 Clean Air Plan projections. Furthermore, the proposed project would not exceed the BAAQMD's emissions thresholds (see criterion [b]). The BAAQMD emissions thresholds were established to identify projects that have the potential to generate a substantial amount of criteria air pollutants. Therefore, the proposed project would not conflict with or obstruct implementation of the 2017 Clean Air Plan. For these reasons, impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

b) Would the proposed project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under applicable federal or State ambient air quality standard?

Regional Short-Term Construction Impacts

Construction activities produce combustion emissions from various sources, such as on-site heavy-duty construction vehicles, vehicles hauling materials to and from the site, and motor vehicles transporting the construction crew. Site preparation activities produce fugitive dust emissions (PM_{10} and $PM_{2.5}$) from demolition and soil-disturbing activities, such as grading and excavation. Air pollutant emissions from construction activities on site would vary daily as construction activity levels change. Construction activities associated with the project would result in emissions of ROG, NO_X, CO, PM_{10}, and fine $PM_{2.5}$.

Construction Fugitive Dust

Ground-disturbing activities[43] during the construction phase would generate fugitive dust (PM_{10} and $PM_{2.5}$). The amount of dust generated during construction would be variable and is dependent on the amount of material being disturbed, the type of material, moisture content, and meteorological conditions. If uncontrolled, PM_{10} and $PM_{2.5}$ levels downwind of actively disturbed areas could possibly exceed State standards. BAAQMD considers all impacts related to fugitive dust emissions from construction to be *less than significant* with implementation of BAAQMD's best management practices shown in Mitigation Measure AQ-1, which is consistent with General Plan EIR Mitigation Measure AQ-1.

Impact AQ-1: Fugitive dust (PM_{10} and $PM_{2.5}$) generated by the proposed project during construction could potentially result in significant regional short-term air quality impacts without implementation of the Bay Area Air Quality Management District's best management practices related to reducing fugitive dust emissions.

Mitigation Measure AQ-1: The project's construction contractor shall comply with the following best management practices for reducing construction emissions of fugitive dust (PM_{10} and $PM_{2.5}$) as required by the Bay Area Air Quality Management District Revised California Environmental Quality Act Air Quality Guidelines:

- Water all active construction areas at least twice daily, or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.
- Pave, apply water twice daily or as often as necessary to control dust, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).

[43] Ground-disturbing activities include, but are not limited to, asphalt removal, grading, excavation and hand excavation, clearing, grubbing, and removing and/or recompacting unconsolidated soils near the ground surface.

- Sweep daily (with water sweepers using reclaimed water if possible) or as often as needed all paved access roads, parking areas and staging areas at the construction site to control dust.
- Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material.
- Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt/sand).
- Limit vehicle traffic speeds on unpaved roads to 15 miles per hour.
- Vegetative ground cover shall be planted in disturbed areas as soon as possible and watered appropriately until the vegetation is established.
- Install sandbags or other erosion control measures to prevent silt runoff from public roadways.

Construction Exhaust Emissions

Analysis of construction emissions is based on the preliminary construction duration and normalized CalEEMod default schedule developed for the proposed project. The proposed project would result in site preparation, grading, building construction, paving, and architectural coating that would occur near existing sensitive land uses. Construction emissions were quantified using the CalEEMod Version 2022.1.0 based on information provided by the project applicant, which was reviewed and approved by PlaceWorks and the Town. The approximately 24-month (two-year) construction period is assumed to begin in October 2023 and end in October 2025.

Potential construction-related air quality impacts are determined by comparing the average daily criteria air pollutants emissions generated by the proposed project-related construction activities to the BAAQMD significance thresholds in Table 3-1, *Construction-Related Criteria Air Pollutant Emissions Estimates*. Average daily emissions are based on the annual construction emissions divided by the total number of active construction days.

TABLE 3-1 CONSTRUCTION-RELATED CRITERIA AIR POLLUTANT EMISSIONS ESTIMATES

	Average Daily Criteria Air Pollutants (average lbs/day) [a,b]					
	ROG	NO_x	Exhaust PM_{10}	Fugitive PM_{10} [b]	Exhaust $PM_{2.5}$	Fugitive $PM_{2.5}$ [b]
Average Daily Emissions [c]	1	8	<1	1	<1	1
BAAQMD Average Daily Project-Level Threshold	54	54	82	BMPs	54	BMPs
Exceeds Average Daily Threshold	**No**	**No**	**No**	**NA**	**No**	**NA**

Notes: Emissions may not total to 100 percent due to rounding. BMP = Best Management Practices; NA = not applicable; Reactive Organic Gases = ROG; Nitrogen Oxides = NO_x; Coarse Inhalable Particulate Matter = PM_{10}; Fine Inhalable Particulate Matter = $PM_{2.5}$

a. Construction phasing and equipment mix are based on the preliminary information provided by the project applicant. Where specific information regarding project-related construction activities was not available, construction assumptions were based on CalEEMod defaults, which are based on construction surveys conducted by South Coast Air Quality Management District of construction equipment and phasing for comparable projects.

b. Includes implementation of BMPs for fugitive dust control required by BAAQMD as mitigation, including watering disturbed areas a minimum of two times per day, reducing speed limit to 15 miles per hour on unpaved surfaces, and street sweeping.

c. Average daily emissions are based on the total construction emissions divided by the total number of active construction days. The total number of construction days is estimated to be about 523.

Source: California Emissions Estimator Model (CalEEMod), Version 2022.1. Table 2.1 Emissions Summary

As shown in Table 3-1, criteria air pollutant emissions from construction equipment exhaust would not exceed the BAAQMD average daily thresholds. Therefore, impacts from project-related construction activities to the regional air quality would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

Operational Impacts

Typical long-term air pollutant emissions are generated by area sources (e.g., landscape fuel use, aerosols, architectural coatings, and asphalt pavement), energy use (natural gas), and mobile sources (i.e., on-road vehicles). BAAQMD has provided operational-related criteria air pollutant screening level sizes based on the Urban Land Use Emissions Model (URBEMIS) for various land uses.[44] If a project meets the screening criteria, then operation of the proposed project would not result in a significant impact to air quality from criteria pollutant and precursor emissions. Based on Table 3-1*, Operational-Related Criteria Air Pollutant and Precursor Screening Level Sizes*, in the BAAQMD's CEQA Air Quality Guidelines, the operational criteria pollutant screening size for a single-family is 325 dwelling units (du). Since the proposed project would develop 24 single-family units, the operation of the proposed project would meet BAAQMD's operational screening criteria and subsequently the operational emissions would be below regional thresholds.

As described in Section XV, *Transportation*, the proposed project would generate a total of 226 average daily weekday trips, which would be an increase from existing conditions since there are no existing daily weekday trips or VMT.[45] However, the proposed project would be exempt from vehicle miles traveled (VMT) analysis because it lies within a Residential VMT Screening Zone that qualifies as 15 percent or more below the average VMT. Because transportation emissions would generate the majority of criteria air pollutants associated with the project, this increase in average daily weekday trips and associated daily VMT would not result in a significant impact for long-term air pollutant emissions from mobile sources in the town.

Although the proposed single-family residential units would introduce new energy demands to the site, the proposed residential units would be built with sustainability as a key component of their design by including high-efficiency lighting, energy efficient appliances, and low flow plumbing faucets and fixtures. These design elements would be designed to be approximately ten to 15 percent more energy efficient than the 2022 Building and Energy Efficiency Standards[46] and CALGreen requirements. Therefore, the proposed project would not exceed the BAAQMD daily pounds per day or annual tons per year project level threshold and would not create a cumulatively considerable contribution to the nonattainment designations of the SFBAAB, and impacts would be *less than significant*.

[44] Bay Area Air Quality Management District (BAAQMD), May 2017. BAAQMD CEQA Air Quality Guidelines, https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en.

[45] TJKM, 2022. *Hembree Lane Oaks Subdivision Transportation Impact Study*. September 13.

[46] The 2022 standards apply to any project whose permit applications are applied for on or after January 1, 2023.

Summary

As described, the proposed project would not have a significant long-term operational phase impact because the proposed project meets BAAQMD's operational screening criteria for criteria air pollutants and precursors. However, without incorporation of fugitive dust control measures required by BAAQMD, construction activities associated with the proposed project could potentially result in significant regional short-term air quality impacts. Mitigation Measure AQ-1 would ensure that required fugitive dust control measures are implemented to control project-related fugitive dust generated during construction activities. Therefore, the proposed project's contribution to cumulative air quality impacts would be *less than significant with mitigation* and would remain consistent with the conclusions in the General Plan EIR.

c) Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Construction Off-Site Community Risk and Hazards

The proposed project would elevate concentrations of TACs and $PM_{2.5}$ in the vicinity of sensitive land uses during construction activities. The BAAQMD has developed *Screening Tables for Air Toxics Evaluation During Construction* (2010) to evaluate construction-related health risks associated with residential, commercial, and industrial projects.[47] According to the screening tables, the surrounding residences and Mother Earth's Children Preschool are closer than the distance of 100 meters (328 feet) that would screen out potential health risks and, therefore, could be potentially impacted from the proposed construction activities. The nearest sensitive receptors to the project site are the residents along Cornell Street to the north and Mother Earth's Children Preschool to the north. Other sensitive land uses near the project site include Residential Care Specialists 820 feet (0.16 miles) and Morrison Family Child Care roughly 0.19 mile to the north. Consequently, a site-specific construction health risk assessment (HRA) of TACs and $PM_{2.5}$ was prepared (see Appendix B, *Health Risk Assessment*, of this Initial Study).

A quantified analysis of the proposed project's construction emissions was conducted using the CalEEMod, Version 2022.1.0. Construction emissions were based on 523 working days of the total 24-month construction duration. The United States Environmental Protection Agency (USEPA) AERMOD, Version 10.2.1, dispersion modeling program was used to estimate excess lifetime cancer risk, chronic non-cancer hazard index for non-carcinogenic risk, and the $PM_{2.5}$ maximum annual concentrations at the nearest sensitive receptors. The results of the analysis are shown in Table 3-2, *Construction Risk Summary – Unmitigated.*

[47] Bay Area Air Quality Management District (BAAQMD), May 2010. Screening Tables for Air Toxics Evaluation During Construction, https://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/CEQA_Construction_Screening_Approach.ashx, accessed November 11, 2022.

TABLE 3-2 CONSTRUCTION RISK SUMMARY – UNMITIGATED

Receptor	Cancer Risk (per million)	Chronic Hazards	$PM_{2.5}$ ($\mu g/m^3$)
Maximum Exposed Individual Resident (MEIR)	**43.13**	0.09	**0.43**
Mother Earth's Children Preschool Student	1.23	0.02	0.11
Residential Care Specialists, LLC Senior Resident	0.12	0.01	0.04
BAAQMD Threshold	10	1.0	0.30
Exceeds Threshold?	**Yes**	No	**Yes**

Note: micrograms per cubic meter = $\mu g/m^3$; $PM_{2.5}$ – fine particulate matter
Source: Cancer risk calculated using 2015 OEHHA HRA Guidance Manual

The results of the Construction HRA are based on the maximum receptor concentration over a 24-month construction exposure duration for off-site receptors.[48] Risk is based on the updated Office of Environmental Health Hazard Assessment (OEHHA) Guidance Manual:[49]

- Cancer risk for the MEIR were calculated to be 43.13 in a million and exceeds the ten in a million-significance threshold. Utilizing the latest 2015 OEHHA Guidance Manual, the calculated total cancer risk conservatively assumes that the risk for the maximum exposed receptor (MER) consists of a pregnant woman in the third trimester that subsequently gives birth to an infant during the approximately 10-month construction period; therefore, all calculated risk values were multiplied by a factor of 10. In addition, it was conservatively assumed that the residents were outdoors eight hours a day, 260 construction days per year, and were exposed to all the daily construction emissions.
- The cancer risk for the maximum exposed preschool student and senior care facility would not exceed the ten per million significance thresholds.
- For non-carcinogenic effects, the chronic hazard index identified for each toxicological endpoint totaled less than one for all the off-site sensitive receptors. Therefore, chronic non-carcinogenic hazards are within acceptable limits.
- For the MEIR the maximum annual $PM_{2.5}$ concentration were calculated to be 0.43 $\mu g/m^3$ and exceeds the threshold of 0.3 $\mu g/m^3$.
- The maximum annual $PM_{2.5}$ concentrations for the preschool student and senior care facility would not exceed the threshold of 0.3 $\mu g/m^3$. Therefore, $PM_{2.5}$ emissions for these two off-site sensitive receptors are within acceptable limits.

Because the incremental cancer risk and annual $PM_{2.5}$ concentration for the MEIR would exceed BAAQMD's significance thresholds due to construction activities associated with the proposed project implementation of Mitigation Measure AQ-2 is required to reduce the impact to a less-than-significant level.

[48] The 2015 Office of Environmental Health Hazard Assessment Air Toxics Hot Spots Program Guidance Manual identified that exposure duration has changed from 70 years to 30 years for operational risk to residents; however, the risk is still averaged over a 70-year lifetime.

[49] Office of Environmental Health Hazard Assessment, 2015. Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments.

Impact AQ-2: The proposed project could expose sensitive receptors to substantial pollutant concentrations during construction.

Mitigation Measure AQ-2: During construction, the construction contractor(s) shall:

- Use construction equipment that have engines that meet either United State Environmental Protection Agency (USEPA) or California Air Resources Board (CARB) Tier 4 Interim emission standards for off-road diesel-powered construction equipment with more than 50 horsepower, unless it can be demonstrated to the Town of Windsor Building Division that such equipment is not available. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by Tier 4 Interim emissions standards for a similarly sized engine, as defined by the CARB's regulations.
- Prior to issuance of any construction permit, ensure that all construction plans submitted to the Town of Windsor Planning Division and/or Building Division clearly show the requirement for Tier 4 Interim emission standards for construction equipment more than 50 horsepower.
- Maintain a list of all operating equipment in use on the project site for verification by the Town of Windsor Building Division Official or their designee. The construction equipment list shall state the makes, models, and number of construction equipment on site.
- Ensure that all equipment shall be properly serviced and maintained in accordance with manufacturer recommendations.
- Communicate with all sub-contractors in contracts and construction documents that all nonessential idling of construction equipment is restricted to five minutes or less in compliance with CARB Rule 2449 and is responsible for ensuring that this requirement is met.

Mitigation Measure AQ-2 would reduce the proposed project's localized construction emissions, as shown in Table 3-3, *Construction Risk Summary – Mitigated.*

TABLE 3-3 CONSTRUCTION RISK SUMMARY – MITIGATED

Receptor	Cancer Risk (per million)	Chronic Hazards	$PM_{2.5}$ ($\mu g/m^3$)
Maximum Exposed Individual Resident (MEIR)	9.80	0.02	0.26
Mother Earth's Children Preschool Student	0.27	0.01	0.07
Residential Care Specialists, LLC Senior Resident	0.03	0.001	0.02
BAAQMD Threshold	10	1.0	0.3
Exceeds Threshold?	**No**	**No**	**No**

Notes: micrograms per cubic meter = $\mu g/m^3$; $PM_{2.5}$ – fine particulate matter; Risks incorporate Mitigation Measure AQ-2, which requires all equipment of 50 horsepower or more be fitted with engines that meet the EPA's Tier 4 Interim emissions standards.
Source: Cancer risk calculated using 2015 OEHHA HRA Guidance Manual.

The results indicate that, with mitigation, cancer risks and annual $PM_{2.5}$ concentration would be less than the BAAQMD's significance thresholds for residential-based receptors. As mentioned previously, it was conservatively assumed that the residents were outdoors eight hours a day, 260 construction days per year, and were exposed to all the daily construction emissions. Additionally, the CalEEMod default equipment mix was utilized for analyzing the proposed project, which generally represents a conservative

estimate for construction DPM emissions than what would normally occur for smaller development projects. Therefore, the proposed project would not expose off-site sensitive receptors to substantial concentrations of air pollutant emissions during construction and impacts would be *less than significant* with mitigation.

Cumulative Construction

BAAQMD recommends assessing the potential cumulative impacts from sources of TACs within 1,000 feet of the project to address the project's cumulative contribution to localized TACs and $PM_{2.5}$. Based on BAAQMD's Stationary Source Screening Map, there are no major stationary sources of emissions within 1,000 feet to the project site.[50] In addition to permitted stationary sources, the BAAQMD recommends that off-site mobile sources (e.g., maritime, rail, highway, roadway) within 1,000 feet of the project site be considered in the cumulative health risk assessment. No maritime activity or railroads are within 1,000 feet of the project site. To identify the cumulative risk at the MEIR from nearby roadway and highway sources, the BAAQMD recommends submitting a public records request for the BAAQMD to directly provide risk data that corresponds with that location. Because the BAAQMD has not yet provided the data requested for these sources at the MEIR location, roadway and highway risk data at the MEIR is not currently available for this analysis.

Nonetheless, the BAAQMD's cumulative health risk thresholds are 100 in a million for lifetime cancer risk, a non-carcinogenic chronic or acute hazard index of 10.0, and 0.8 $\mu g/m^3$ for annual average $PM_{2.5}$ concentrations. Because the proposed project would result in 9.8 in a million for cancer risk, 0.02 hazard index, and 0.26 $\mu g/m^3$ annual average $PM_{2.5}$ concentrations, it is not anticipated that nearby roadways and highways would cause the off-site MEIR or new on-site receptors to experience greater than 100 in a million cancer risk, 10.0 hazard index, or 0.8 $\mu g/m^3$ annual average $PM_{2.5}$ concentrations. The cumulative risks to off-site receptors from the proposed project's construction and existing emission sources would not expose off-site or new sensitive receptors to substantial concentrations of air pollutant emissions, and cumulative health risk impacts would be *less than significant*.

Operation Phase Community Risk and Hazards

Types of land uses that typically generate substantial quantities of criteria air pollutants and TACs include industrial (stationary sources), manufacturing, and warehousing (truck idling) land uses. These types of major air pollutant emissions sources are not included as part of the proposed project's residential development and open space improvements. The proposed project would not include stationary sources that emit TACs and would not generate a significant amount of heavy-duty truck trips (a source of diesel particulate matter [DPM]). Therefore, the proposed project would not expose sensitive receptors to substantial concentrations of air pollutant emissions during operation, and impacts would be *less than significant*.

[50] Bay Area Air Quality Management District, updated April 2022, Stationary Source Screening Map, https://baaqmd.maps.arcgis.com/apps/webappviewer/index.html?id=845658c19eae4594b9f4b805fb9d89a3, accessed October 27, 2022.

Carbon Monoxide (CO) Hotspot Analysis

Areas of vehicle congestion have the potential to create pockets of carbon monoxide (CO) called hotspots. These pockets have the potential to exceed the State 1-hour standard of 20 ppm or the eight-hour standard of nine ppm. The proposed project would be consistent with MTC's/ABAG's *Plan Bay Area* 2050 and would not alter regional travel patterns. An overarching goal of the regional *Plan Bay Area* 2050 is to concentrate development in areas where there are existing services and infrastructure rather than locate new growth in outlying areas where substantial transportation investments would be necessary to achieve the per capita passenger vehicle, VMT, and associated GHG emissions reductions. The proposed project is an infill residential development that is in close proximity to existing employment centers, roadways, transit, bicycle, and pedestrian routes. For these reasons, the proposed project would be consistent with the overall goals of *Plan Bay Area* 2050.

Furthermore, under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection to more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited—in order to generate a significant CO impact. The Town's most recent Daily Traffic Volumes map demonstrates that existing daily volumes along Hembree Lane near the project site to be approximately 8,900 daily vehicles and Old Redwood Highway near the project site to be approximately 9,700 daily vehicles.[51] The residential component of the proposed project would generate 17 more AM (morning) peak hour trips and 23 PM (evening) peak hour trips.[52] Conservatively assuming that all 9,700 daily vehicle trips along Old Redwood Highway occur within the PM peak hour and within a single intersection, the 23 PM project-generated peak hour trips would not result in that intersection exceeding the BAAQMD's CO hotspot screening thresholds. Therefore, implementation of the proposed project would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (see Section XV, *Transportation*).[53] As a result, localized air quality impacts related to mobile-source emissions would be a *less than significant.*

d) Would the proposed project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Construction and operation of the 24 single-family residential units and open space improvements would not generate odors that would affect a substantial number of people. The type of facilities that are considered to have objectionable odors include wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. Operation-related odors would potentially consist of outdoor garbage collection,

[51] Town of Windsor, 2016. Windsor Daily Traffic 2015-2016. https://www.townofwindsor.com/DocumentCenter/View/14318/TOW---Daily-Traffic-Volumes?bidId=, accessed November 11, 2022.

[52] TJKM, 2022. *Hembree Lane Oaks Subdivision Transportation Impact Study*. September 13.

[53] Bay Area Air Quality Management District (BAAQMD), 2011 Revised California Environmental Quality Act Air Quality Guidelines.

outdoor cooking, smoking, and vehicle exhaust; however, this type of residential land use would not be associated with foul odors that would affect a substantial number of people.

During construction activities, construction equipment exhaust and application of asphalt and architectural coatings would temporarily generate odors. Any construction-related odor emissions would be temporary and intermittent. Additionally, odors would typically be confined to the immediate vicinity of the construction equipment. By the time such emissions reach any sensitive receptor sites, they would be diluted to well below any level of air quality concern.

Odors are also regulated under BAAQMD Regulation 1, Rule 1-301, *Public Nuisance*, which states that "no person shall discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or the public; or which endangers the comfort, repose, health or safety of any such persons or the public, or which causes, or has a natural tendency to cause, injury or damage to business or property."

As discussed further in Section VIII, *Hazards and Hazardous Materials*, the Phase I Environmental Site Assessment (ESA) did not find documentation or physical evidence of soil or groundwater impairments associated with the use or past use of the project site.[54] Furthermore, there was no evidence of hazardous substances and petroleum products used or stored at the site, nor strong pungent or noxious odors that were observed on the subject property during the site reconnaissance.[55] Therefore, odor impact from implementation of proposed project would be less than significant.

In summary, because construction-related odor emissions would be temporary and intermittent, residential developments and walking paths are not considered the type of use that would generate odors that would affect a substantial number of people, and the proposed project is required to comply with BAAQMD Regulation 7, odor-related impacts to off-site land uses would be *less than significant* and would remain consistent with the conclusions in the General Plan EIR.

III. BIOLOGICAL RESOURCES

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, of special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	❒	■	❒	❒

[54] REALM Civil Engineering, Surveying & Land Planning, 2021. *Phase I Environmental Site Assessment, 7842 Hembree Lane, Windsor, California 95492, Sonoma County APN 163-080-047.* July 22.

[55] REALM Civil Engineering, Surveying & Land Planning, 2021. *Phase I Environmental Site Assessment, 7842 Hembree Lane, Windsor, California 95492, Sonoma County APN 163-080-047.* July 22.

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	❒	■	❒	❒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption, or other means?	❒	■	❒	❒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife sites?	❒	❒	■	❒
e) Conflict with any local ordinances or policies protecting biological resources?	❒	❒	■	❒
f) Conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or State habitat conservation plan?	❒	❒	❒	■

GENERAL PLAN EIR

Chapter 4.4, *Biological Resources*, of the General Plan EIR, addressed the impacts to biological resources associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The General Plan EIR concluded impacts to listed special-status species would be avoided with implementation of the General Plan goals and policies as well as General Plan EIR Mitigation Measure AES-1 to reduce light and glare, General Plan EIR Mitigation Measure BIO-1 to reduce impacts to nesting birds, and General Plan EIR Mitigation Measure BIO-2 to reduce impacts related to wildlife movement corridors. General Plan EIR Mitigation Measure BIO-1 required the Town to add Policy ER-6.12 to establish a nesting bird protection policy and General Plan EIR Mitigation Measure BIO-2 required the Town to modify Policy ER-1.2, *Sensitive Habitat Preservation,* to include the preservation of wildlife corridors. Note, implementation of these mitigation measures are requirements of the Town and not individual development projects. However, the policies that the mitigation measures modify are requirements of individual development projects. As such, project applicants shall comply with General Plan Policy LU-1.13 and requiring outdoor lighting to be shielded and/or directed downward to limit overspill and glare, without compromising the safety and security of the community; Policy ER-6.12 by completing bird nesting surveys prior to construction or avoid nesting season; and Policy ER-1.2 by reducing impacts on sensitive habitats and wildlife movement corridors as applicable. All other impacts were found to be less than significant.

EXISTING CONDITIONS

Regulatory Setting

This section provides information on regulations that serve to protect sensitive biological resources, a description of the existing biological resources on the site, and an assessment of the potential impacts of implementing the proposed project. The assessment of potential impacts on biological resources involved a review of available background information for the Windsor vicinity, including documentation prepared by the applicant's consultants, conduct of a field reconnaissance to confirm conditions described in the applicant's studies, and assess the potential impacts of the proposed project. Available background information included: the occurrence data of special-status species and sensitive natural communities maintained by the California Natural Diversity Data Base (CNDDB) of the CDFW; the 2005 Santa Rosa Plain Conservation Strategy (SRPCS)[56] overseen by the United States Fish and Wildlife Service (USFWS); wetlands mapped as part of the National Wetlands Inventory maintained by the USFWS; mapping of critical habitat for federally-listed species maintained by the USFWS; and reports prepared by the applicant's consulting arborist and biologist, as well as earlier studies conducted on the site. The following reports, included as Appendix C, *Biological Resources Data*, of this Initial Study, were prepared specifically for the project site include the following:

- Biological Assessment (BA)[57] (dated October 27, 2022) describing biological and wetland resources on the site, the results of detailed surveys for special-status plants and regulated waters, an assessment of potential impacts of the project and recommended mitigation measures.
- Preliminary Biological Assessment (PBA)[58] provided an initial description of biological and wetland resources on the site, and recommended that additional studies be performed at the site which were conducted in the spring through early summer of 2022 and findings incorporated into the BA.
- Tree Inventory Reports (TIR) which collectively provide an inventory of trees on the site, together with tree preservation guidelines for trees to be retained. Three versions of the TIR were prepared, with the first TIR[59] (dated June 9, 2022) encompassing most of the trees in the vicinity of proposed construction (included as Appendix E of the BA), the second TIR[60] (dated October 3, 2022) capturing trees along the proposed Cornell Road extension, and the third TIR[61] (dated October 12, 2022) mapping the remaining trees in the proposed open space areas on the site.
- Past studies at the site consist of systematic surveys for special-status plant species conducted in 2006 and 2008 and a wetland delineation prepared in 2006 and verified by the United States Army Corps of

[56] Santa Rosa Plain Conservation Strategy Team (SRPCST), 2005. *Santa Rosa Plain Conservation Strategy (Final)*. December 1.

[57] Wiemeyer Ecological Sciences, 2022. *Biological Assessment, Hembree Lane Oaks, 7842 Hembree Lane, Windsor, CA*. Prepared for Doyle Heaton, DRG Builders. October 27.

[58] Wiemeyer Ecological Sciences, 2021. *Preliminary Biological Assessment, Hembree Lane Oaks, 7842 Hembree Lane, Windsor, CA*. Prepared for Doyle Heaton, DRG Builders. August 17.

[59] Horticultural Associates, 2022. *Tree Inventory Report, 7842 Hembree Lane*. Prepared for DRG Builders. June 9.

[60] Horticultural Associates, 2022a. *Tree Inventory Report, 7842 Hembree Lane, Cornell Street Extension*. Prepared for DRG Builders. October 3.

[61] Horticultural Associates, 2022b. *Tree Inventory Report, 7842 Hembree Lane, Undeveloped Areas*. Prepared for DRG Builders. October 12.

Engineers (Corps) in 2007. These were summarized in the letter report by Charles A. Patterson, Plant Ecologist in 2016.[62] The Corps verified wetland delineation has since expired. Given the length of time since these studies were prepared, updated surveys and mapping were prepared for the project site as summarized in the BA.

The field survey effort by the Initial Study biologist involved a field reconnaissance survey on November 30, 2022, to allow for an inspection of field conditions and potential for occurrence of sensitive biological and wetland resources. A review of the accuracy of the mapping and conclusions in the reports prepared by the applicant's consulting arborist and biologist was performed during the field survey. This included review of the mapping of potential regulated waters and protected trees and evaluating the conclusions regarding possible presence of special-status species on the site. Based on the results of the field survey by the Initial Study biologist, no additional detailed surveys were considered necessary as part of the CEQA review.

Vegetation and Wildlife Habitat

Vegetation on the project site consists of valley oak woodland, grasslands, scattered seasonal wetlands, and a small area of riparian woodland at the downstream end of a drainage that bisects the property. Figure 4-1, *Habitat Map*, is an aerial map of the project site, showing the extent of existing tree cover, the scattered seasonal wetlands and central drainage, and location of the riparian woodland. Information on the vegetative cover and associated wildlife species typically associated with each of the habitat types found on the project site is summarized herein.

Valley Oak Woodlands

Native valley oak (*Quercus lobata*) forms the dominant tree cover on the site, forming dense to open woodlands stands, with a varied understory of grasslands and seasonal wetlands. Other tree species occurring on the site include a few native coast live oak (*Q. agrifolia*) and black oak (*Q. kelloggii*), and scattered non-native wild plums (*Prunus domestica*), and individual pear (*Pyrus communis*), English walnut (*Juglans regia*), and blue gum eucalyptus (*Eucalyptus globulus*) trees. The understory in the woodlands varies, with most areas supporting grassland species together with scattered shrubs and vines such as native poison oak (*Toxicodendron diversilobum*), honeysuckle (*Lonicera hispidula*), toyon (*Heteromeles arbutifolia*), and coyote brush (*Baccharis pilularis*). Highly invasive non-native shrubs and vines are also scattered in low numbers through the woodland understory, including Scotch broom (*Cytisus scoparius*), French broom (*Genitsa monspessulana*), Himalayan blackberry (*Rubus armeniacus*), and periwinkle (*Vinca major*). Without proper management, these invasive non-native species can spread and overtake any remaining native groundcover and understory species.

[62] Charles A. Patterson, Plant Ecologist, 2016. *Updated biotic surveys and findings for 7842 Hembree Lane, Windsor*. Letter to Craig Lawson, CAL Custom Building Services, Inc. December 7.

Source: Wiemeyer Ecological Services, 2022.

0 200
Scale (Feet)

Site Boundary
Riparian woodland (0.06 ac.)
Seasonal wetlands (0.56 ac.)

NAG - Non-native Annual Grassland
VOW - Valley Oak Woodland

Figure 4-1
Habitat Map

As described in Section 3.1.3.3, *Other Town of Windsor Requirements*, Chapter 27.36, *Tree Preservation and Protection,* of the Town's Zoning Ordinance, regulates the removal of native trees that qualify as "protected" size with a trunk diameter of six inches or more measured at 4.5 feet above existing grade. Smaller trees may also be protected under special circumstances. The TIRs indicate a total of 375 trees of protected size on the project site and adjacent areas were evaluated, consisting of 350 valley oaks, 15 coast live oaks, and three black oaks, together with seven planted trees that are not native or indigenous to the Windsor area. Most of the oaks are of sapling and young size, with trunk diameters of 12 inches or less. Only 11 oaks assessed in the TIRs are mature specimens with trunk diameters exceeding 24 inches.

The oaks and other trees provide foraging, roosting, and possibly nesting opportunities for birds and mammals. Wildlife commonly associated with woodland habitat include woodpeckers, western flycatcher, chestnut-backed chickadee, plain titmouse, Hutton vireo, orange-crowned kinglet, rufous-sided towhee, northern flicker, banded-tailed pigeon, bushtit, ringneck snake, ensatina, California slender salamander, and possibly several species of bats. Black-tailed deer may forage on the abundance seed crops in the fall, and deer tracks were observed during the field survey of the project site.

Grasslands

Grasslands occur in open areas and the woodland understory, dominated by non-native species such as wild oat (*Avena fatua*), ripgut brome (*Bromus diandrus*), soft chess (*Bromus mollis*), Italian rye-grass (*Festuca perennis*), bermuda grass (*Cynodon dactylon*), spring vetch (*Vicia sativa*) and field mustard (*Brassica rapa*). Some native grass and forb species occur within the grasslands, but not in high enough frequency or extent to be considered a native grassland. These include California oatgrass (*Danthonia californicus*), hairgrass (*Deschampsia danthonoides*), saltgrass (*Distichlis spicata*), blue wild rye (*Elymus glaucus*), meadow barley (*Hordeum brachyantherum*), purple needlegrass (*Nassella pulchra*), California poppy (*Eschscholzia californica*), miniature lupine (*Lupinus bicolor*), trefoil (*Lotus micranthus*), white-tip clover (*Trifolium variegatum*), and ground brodiaea (*Brodiaea terrestris*).

Grasslands typically support a variety of mammals, birds, and reptiles, and provide foraging habitat for raptors and other predatory species. Many species use the grassland for only part of their habitat requirements, foraging in the grassland and seeking cover in the surrounding tree and scrub cover. Common species found in grassland cover found on the project site include western fence lizard, northern alligator lizard, gopher snake, goldfinch, brown towhee, sparrows, California vole, and Bottae's pocket gopher. Black-tailed deer may occasionally forage on perennial forbs and the foliage of shrubs and sapling trees encroaching into the grasslands, but the intensity of human activity preclude occupation on the site. Rodent, bird, and reptile populations offer occasional foraging opportunities for avian and mammalian predators such as white-tailed kite, American kestrel, red-tailed hawk, great horned owl, gray fox, bobcat, and coyote. However, the project site is not large enough and the extent of surrounding residential development precludes permanent occupation of the project site by larger mammalian predators.

Seasonal Wetlands

A seasonal drainage channel bisects the project site, with scattered seasonal wetlands occurring in topographic depressions (see Figure 4-1). The channel transitions from a broad wetland swale at the

upstream end to a more defined drainage with a bed and banks that ranges from about 14 to 20 feet in width. Perennial freshwater marsh vegetation such as cattail (*Typha* spp.), rushes (*Juncus* spp.), willow herb (*Epilobium ciliatum*), nutsedge (*Cyperus eragrostis*) and dallis grass (*Paspalum dilatatum*) occur along the central drainage. Dominant plant species in the hydrologically isolated seasonal wetland depressions consist of perennial rye-grass (*Festuca perennis*), Mediterranean barley (*Hordeum marinum* ssp. *gussoneanum*), annual semaphoregrass (*Pleuropogon californicus*), pennyroyal (*Mentha pulegium*), toad rush (*Juncus bufonius*) and Hyssop loosestrife (*Lythrum lyssopifolia*).
The seasonal wetland at the eastern end of the project site appears to have been modified on the eastern edge during development of the adjacent Robbins Park, possibly creating a deeper depression. Dominant plant species consist of perennial rye-grass, Mediterranean barley, pennyroyal, curly dock (*Rumex crispus*), annual semaphoregrass and common spikerush (*Eleocharis macrostachya*). Lobb's aquatic buttercup (*Ranunculus lobbii*), which is recognized by the California Native Plant Society (CNPS) as a special-status species (see discussion that follows), occurs in this seasonal wetland at the southeast corner of the project site.

The scattered seasonal wetlands provide similar habitat conditions to the surrounding grasslands and woodland understory when surface water is not present. None of the seasonal wetland areas contained any surface water when the Initial Study Biologist conducted a field survey in late November 2022. The duration of inundation of these features is dependent on the amount and frequency of rainfall during the winter and spring months. These features provide drinking water for terrestrial species, but no special-status species typically associated with vernal pools and other seasonal aquatic habitat are suspected to be present on the site, such as California tiger salamander (*Ambystoma californiense*).

Riparian Woodland

Riparian woodland habitat occurs at the western end of the drainage that bisects the project site, occupying an area of about 0.06 acres. Dominant plant species include coast live oak, arroyo willow (*Salix lasiolepis*), Himalayan berry (*Rubus armeniacus*), poison oak, California blackberry (*Rubus ursinus*), and coyote bush. The woodland transitions to freshwater marsh and seasonal wetlands upstream of the riparian tree cover.

The riparian woodland provides similar habitat conditions to areas of valley oak woodland. It is likely utilized by numerous bird species and mammals may seek cover in the dense brush. But the small area and proximity to residences along Country Meadow Way limits its habitat value to wildlife.

Wetlands and Regulated Waters

Although definitions vary to some degree, wetlands are generally considered to be areas that are periodically or permanently inundated by surface or ground water and support vegetation adapted to life in saturated soil. Wetlands are recognized as important features on a regional and national level due to their high inherent value to fish and wildlife, use as storage areas for storm and flood waters, and water recharge, filtration, and purification functions.

The CDFW, Corps, and North Coast Regional Water Quality Control Board (RWQCB) have jurisdiction over modifications to wetlands and other "waters of the United States." Jurisdiction of the Corps is established through provisions of Section 404 of the Clean Water Act, which prohibits the discharge of dredged or fill material without a permit. The North Coast RWQCB jurisdiction is established through Section 401 of the Clean Water Act, which requires certification or waiver to control discharges into regulated waters to protect water quality, and the State Porter-Cologne Act. Jurisdictional authority of the CDFW over wetland areas is established under Sections 1600-1607 of the State Fish and Game Code, which pertain to activities that would disrupt the natural flow or alter the channel, bed, or bank of any lake, river, or stream.

The BA includes a preliminary assessment and mapping of potential jurisdictional waters on the project site (see Figure 4-2, *Regulated Wetlands*) in accordance with the routine methodology defined in the Corps' 1987 Wetland Delineation Manuel and the 2006 Interim Regional Supplement for the Arid West Region. Based on the results of the delineation in the BA, an estimated 0.56-acres of potential wetlands regulated as "Waters of the State" and "Waters of the United States" occur on the project site, and subject to State and federal regulations. Authorization is required from regulatory agencies before any modifications to jurisdictional waters is allowed. A formal wetland delineation will be prepared and submitted to the Corps for verification, but the conditions described and mapped in the BA appear to accurately depict the extent of regulated waters on the project site based on the findings of the Initial Study biologist.

Special-Status Species

Special-status species[63] are plants and animals that are legally protected under the State of California and/or federal Endangered Species Acts[64] or other regulations, as well as other species that are considered rare enough by the scientific community and trustee agencies to warrant special consideration, particularly with regard to protection of isolated populations, nesting or denning locations, communal roosts, and other essential habitat.

[63] Special-status species include: designated rare, threatened, or endangered and candidate species for listing by the CDFW; designated threatened or endangered and candidate species for listing by the United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NOAA Fisheries); species considered rare or endangered under the conditions of Section 15380 of the *CEQA Guidelines*, such as those plant species identified with a Rare Plant Rank of 1A, 1B and 2 in the California Native Plant Society's *Inventory of Rare and Endangered Plants of California* (Inventory); and possibly other species which are considered sensitive or of special concern due to limited distribution or lack of adequate information to permit listing or rejection for state or federal status, such as those with a Rare Plant Rank of 3 in the California Native Plant Society's *Inventory* or identified as a "Species of Special Concern" (SSC) by the CDFW.

[64] The federal Endangered Species Act (FESA) of 1973 declares that all federal departments and agencies shall utilize their authority to conserve endangered and threatened plant and animal species. The California Endangered Species Act (CESA) of 1984 parallels the policies of the FESA and pertains to native California species.

ENVIRONMENTAL ANALYSIS

Source: Civil Design Consultants, Inc., 2022.

Figure 4-2
Regulated Wetlands

Species with legal protection under the Endangered Species Acts often represent major constraints to development, particularly when the species are wide-ranging or highly sensitive to habitat disturbance and where proposed development would result in a "take"[65] of these species. A record search conducted by the CNDDB, together with other relevant information, indicates that occurrences of numerous plant and animal species with special status have been recorded or are suspected to occur in the Windsor vicinity.

Figure 4-3, *Special-Status Plants and Sensitive Natural Communities*, shows the distribution of known occurrences of special-status plants and sensitive natural communities and Figure 4-4, *Special-Status Animals and Critical Habitat*, shows the special-status animal species and designated critical habitat areas within about three miles of the project site. No occurrences of special-status species, sensitive natural communities or designated critical habitat extend over the project site or adjacent lands.

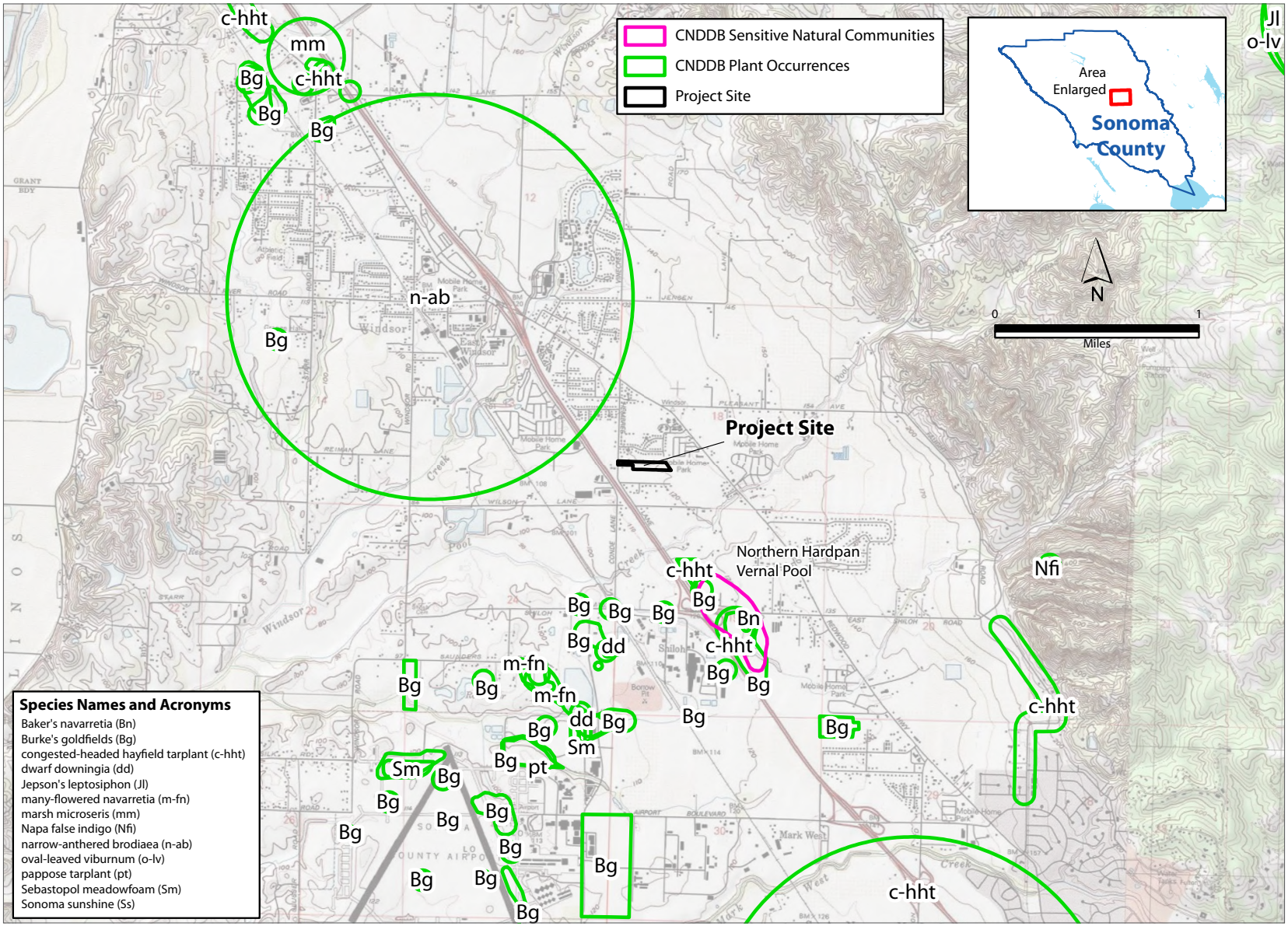
The PBA and BA provided a habitat assessment for the potential presence of special-status species on the project site, including the 13 special-status plant species listed in Figure 4-3 and seven special-status animal species listed in Figure 4-4. These include special-status species associated with seasonal wetlands, aquatic habitat, grasslands, and woodlands of the Santa Rosa Plain. Below is a summary of the results of the findings from the PBA and BA and conclusions regarding presence or absence on the project site.

Plant Species

Based on recommendations in the PBA, supplemental systematic surveys for special-status plants were conducted in 2022 to confirm presence or absence of special-status plant species. A total of 66 special-status plant species were evaluated for potential presence, as summarized in the BA. No special-status plant species were detected or are suspected to occur on the site based on the negative results of systematic surveys conducted in 2006, 2008 and 2022.

As indicated in the BA, an occurrence of Lobb's aquatic buttercup (*Ranunculus lobbii*) was encountered in the seasonal wetland area in the southeastern corner of the project site. Lobb's aquatic buttercup has no state or federal listing status and is Ranked 4.2 in the California Native Plant Society's Inventory. Plants in this ranking category are of limited distribution or found infrequently throughout a broader area in California. They are not "rare" from a statewide perspective but are uncommon enough that their status should be monitored regularly. As such Lobb's aquatic buttercup is not considered a special-status species. This portion of the site would remain undeveloped as part of the proposed project and would not be directly affected by proposed construction.

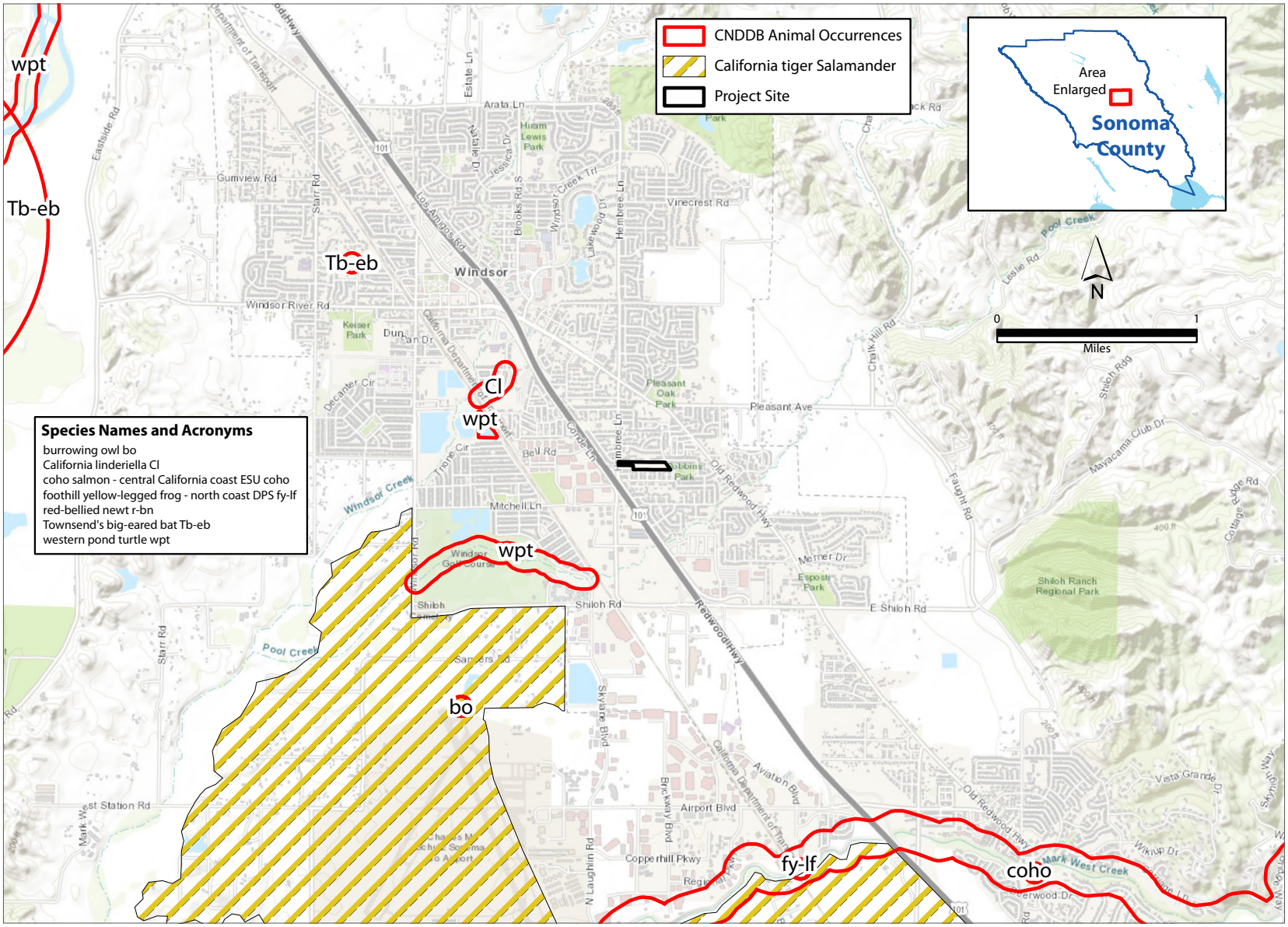
[65] "Take" as defined by the FESA means "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect" a threatened or endangered species. "Harm" is further defined by the USFWS to include the killing or harming of wildlife due to significant obstruction of essential behavior patterns (i.e., breeding, feeding, or sheltering) through significant habitat modification or degradation. The CDFW also considers the loss of listed species habitat as take, although this policy lacks statutory authority and case law support under the CESA.



Source: California Natural Diversity Database release date 10/30/2022 accessed on 11/21/2022; Basemap by: ESRI.
Map produced by www.digitalmappingsolutions.com on 11/21/2022.

Figure 4-3

Special-Status Plants and Sensitive Natural Communities



Source: California Natural Diversity Database release date 5/1/2022 accessed on 6/6/2022; USFWS critical habitat data release date 6/3/2022 accessed on 6/6/2022. Basemap by: ESRI. Map produced by www.digitalmappingsolutions.com on 11/21/2022.

Figure 4-4

Special-Status Animals and Critical Habitat

Animal Species

The BA provides a review of the habitat suitability of the project site for special-status species known from the Santa Rosa Plain and the Windsor vicinity. As concluded in the BA and confirmed by the Initial Study biologist, suitable habitat for most special-status animal species is absent on the project site. This includes absence of suitable breeding, nesting, dispersal, or essential foraging habitat for listed species such as the federally-endangered and State-threatened California tiger salamander (*Ambystoma californiense*), the State and federally-endangered California freshwater shrimp (*Syncaris pacifica*), the federally-threatened California red-legged frog (*Rana aurora draytonii*), the State-endangered and proposed federally-threatened foothill yellow-legged frog (*Rana boylii*), and the federally-threatened steelhead (*Oncorhynchus mykiss*). The project site is not within the potential range of the California tiger salamander (CTS) as mapped by the USFWS according to the Santa Rosa Plain Conservation Strategy (SRPCS). As indicated in Figure 3 of the SRPCS, the project site is categorized as "Presence for CTS is not likely but Mitigation for listed plants may be required". Regarding CTS, the SRPCS states that "neither surveys nor mitigation would be required for projects on these properties."

The BA provides a detailed review of the potential for presence of special-status animal species on the project site. It concludes that although the potential for presence of special-status animal species on the project site is low, that there remains a remote possibility that a number of special-status bees, bats, nesting birds, and western pond turtle (*Emys marmorata*). These are discussed herein, including conclusion regarding presence or absence.

Birds

Most of the special-status animal species known or suspected to occur in the site vicinity are bird species which may forage and possibly nest where suitable nesting substrate is present. These include Cooper's hawk (*Accipiter cooperi*), sharp-shinned hawk (*Accipiter striatus*), golden eagle (*Aquila chrysaetos*), western burrowing owl (*Athene cunicularia*), northern harrier (*Circus cyaneus*), yellow warbler (*Dendroica petechia*), white-tailed kite (*Elanus caeruleus*), California horned lark (*Eremophila alpestris actia*), prairie falcon (*Falco mexicanus*), American peregrine falcon (*Falco peregrinus*), and loggerhead shrike (*Lanius ludovicianus*). Golden eagle, northern harrier, yellow warbler, California horned lark, peregrine falcon, and loggerhead shrike are considered a Species of Special Concern (SSC) by the CDFW.[66] White-tailed kite, peregrine falcon and golden eagle are fully protected species, and golden eagle is also protected under the federal Bald Eagle Protection Act. The other species are monitored to varying degrees by the CNDDB, focusing on nest locations. Some were previously considered an SSC by the CDFW but have been removed from this list as new data indicates they are more abundant than previously believed. The BA also considers the site to contain potentially suitable habitat for the colonial nesting tri-colored blackbird (*Agelaius tricolor*), which is a state-threatened species and recognized as an SSC by the CDFW.

The suitability of nesting habitat for bird species varies on the project site. Suitable nesting habitat is absent for American peregrine falcon, golden eagle, prairie falcon, on the project site, due to the absence

[66] "Species of Special Concern" (SSC) have no legal protective status under the California Endangered Species Act but are of concern to the CDFW because of severe decline in breeding populations and other factors.

of cliffs and other nesting substrate and the intensity of human activity in the area, but these species may occasionally forage in the grasslands and open woodlands in the site vicinity. Suitable ground nesting habitat for northern harrier, California horned lark, and western burrowing owl is absent, and the intensity of human activity and limited nesting substrate for loggerhead shrike, yellow warbler, and tricolored blackbird limits the likelihood of their presence on the project site. Potentially suitable habitat for the remaining species, and other more common bird species is present in the wooded areas of the project site. More common raptors such as the great-horned owl (*Bubo virginianus*), red-tailed hawk (*Buteo jamaicensis*), and American kestrel (*Falco sparverius*) may nest in mature trees in the site vicinity, as well as the potential for nesting by more common bird species.

Nests of native bird species are protected under the Migratory Bird Treaty Act (MBTA) when in active use, and nests of raptors (birds-of-prey) and other native birds are also protected under State Fish and Game Code when in active use. No nesting locations have been identified by the CNDDB for special-status bird species in the site vicinity or were observed during the field surveys of the project site. However, there remains a potential for new nests to be established in the future. Preconstruction surveys are typically preformed to avoid disturbance or inadvertent abandonment of nests in active use when vegetation removal or construction is to be initiated during the nesting season (typically from February 1 through August 31).

Bats

The BA provides a habitat assessment for 16 bat species. None have any legal protective status under the Endangered Species Acts, but protection of roosting locations is of concern to the CDFW. Three species are considered to be an SSC by the CDFW- Pallid bat (*Antrozous pallidus*); Townsend's big-eared bat (*Corynorhinus townsendii*); and western red bat (*Lasiurus blossevillii*). These three species typically roost in caves, mines, rock crevices, unused buildings and bridge structures, but are known to roost in cavities of trees and snags. Of the remaining 13 species, a total of ten of the more common species are known to roost in foliage of woodlands and individual trees, in addition to crevices, caves and structures, and have varying potential to utilize tree cavities, exfoliating bark or foliage in the trees on the project site for roosting. These include big brown bat (*Eptesicus fuscus*), hoary bat (*Lasiurus cinereus*), silver-haired bat (*Lasionycteris noctivagans*), California myotis (*Myotis californicus*), western small-footed myotis (*M. ciliolabrum*), long-eared myotis (*M. evotis*), little brown bat (*M. lucifugus*), fringed myotis (*M. thysanodes*), long-legged myotis (*M. volans*), and Yuma myotis (*M. yumanensis*). The other three species are typically associated with rock outcroppings, caves, mines and structures not found on the project site. No special-status or more common bat species have been observed on the project site, but the presence of woodland cover, including a number of mature oaks that could have cavities, provides suitable foraging and possibly roosting habitat and there remains a remote possibility that one or more of these 13 species could be present on the project site.

Bumble Bees

The BA included a habitat assessment for four special-status bee species: Blennosperma vernal pool andrenid bee (*Andrena blennospermatis*); obscure bumble bee (*Bombus caliginosus*); Crotch bumble bee (*Bombus crotchii*); and western bumble bee (*Bombus ocidentalis*). Blennosperma vernal pool andrenid

bee and obscure bumble bee have no conservation status but are monitored by the CNDDB because of noted declines in abundance and distribution. Crotch bumble bee and western bumble bee are both candidates for endangered status under the CESA. These special-status bee species all have similar habitat requirements, generally inhabiting undisturbed prairies and meadows. They require floral resources for nectaring and undisturbed underground cavities to use as nests, primarily in the form of small burrows. Threats facing bumblebees include habitat loss, pesticides, disease, invasive insects, and climate change. Regarding possible presence on the project site, Blennosperma vernal pool andrenid bee specifically requires *Blennosperma* plant species as their food sources. Sonoma sunshine and other *Blennosperma* plant species have not been detected on the project site during systematic plant surveys conducted in 2006, 2008 and 2022, and given the absence of its food source, the Blennosperma vernal pool andrenid bee is not suspected to occur on the project site. Western bumblebee has experienced a considerable range contraction and is now considered to be confined to higher elevations in the Sierra Nevada range and portions of the North Coast in California and is no longer suspected to occur in the Windsor vicinity. Similarly, Crotch bumble bee has experienced a substantial decline in the northern part of its range and is now believed to be extirpated from the Windsor vicinity. Obscure bumblebee has also experienced considerable declines in distribution with most occurrences in California now reported from coastal areas. None of the special-status bee species have been observed on the project site, but flowering plants that could serve as a food source are present, as is undisturbed potential nesting habitat. The project site is isolated from larger stands of grasslands with a more diverse floral resource for nectar and pollen, making its suitability for present limited. But there remains a remote possibility that at least obscure bumblebee could possibly be present on the project site.

Western Pond Turtle

Western pond turtle has no listing under the Endangered Species Acts but is recognized as an SSC by CDFW. They typically occur in reservoirs, ponds, vernal pools, brackish estuaries, sloughs, drainage ditches, and perennial streams, and require basking areas, deep water to escape predators, and suitable upland habitat adjacent to aquatic habitats for egg-laying. Upland areas used for nesting include sandy banks or grassy open fields. The two nearest CNDDB occurrences of this species are approximately 0.6-mile to the northwest and 0.7 acres to the southwest of the site on the west side of Highway 101 (see Figure 4-4).

The project site and adjacent areas lack suitable habitat for permanent occupation by western pond turtle. The central drainage lacks deep, perennial pools necessary for retreat, and is unsuitable for use by western pond turtle when it dries out. The BA concludes that there is a remote possibility that western pond turtle could be present in the central drainage when construction proceeds, although this seems highly unlikely. The species was not detected on the project site during past surveys or during the field reconnaissance by the Initial Study biologist.

Sensitive Natural Communities

Sensitive natural communities are natural community types considered to have a high inventory priority with the CNDDB because of their rarity. Sensitive natural community types are monitored by the CNDDB due to their continuing loss as a result of conversion to urban and agricultural development, flood control improvements, and other habitat modifications. CDFW ranks natural communities (also referred to by CDFW as alliances) based on rarity rank, using a system derived from NatureServe's standard heritage program, as indicated in the *List of California Vegetation Alliances.*[67]

Sensitive natural community types on the project site include the valley oak woodlands and small area of willow riparian woodland. Areas dominated by valley oak qualify as a sensitive natural community type. Valley oak woodlands have a ranking of G3S3 according to the CNDDB list of *California Sensitive Natural Communities*.[68] Natural communities with ranks of 1-3 are considered sensitive. Thickets dominated by arroyo willow are also recognized as sensitive by the CNDDB. As discussed under "Wetlands and Regulated Waters," they are typically considered state waters where they are associated with a natural drainage or wetland, as is the case on the project site.

DISCUSSION

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

The proposed project has the potential to adversely affect nesting birds and roosting bats. Tree and vegetation removal may result in inadvertent loss of individuals which would be a significant impact unless adequate preconstruction surveys and avoidance are conducted in advance of initiating project construction, as discussed further herein.

As concluded in the BA, there is a remote possibility that the proposed project could adversely affect one or more special-status bumble bee and dispersing western pond turtle. These species are also discussed further herein.

No special-status plant species or essential habitat for other special-status animal species occurs on the project site. This includes absence of essential habitat or future dispersal opportunities for California tiger salamander, California red-legged frog, California freshwater shrimp, foothill yellow-legged frog, steelhead, and other special-status animal species known or suspected from the Windsor vicinity, and no adverse impacts on these species is anticipated.

[67] California Department of Fish and Wildlife, Biogeographic Data Branch, Vegetation Classification and Mapping Program, 2020, *California Natural Community List*.

[68] California Department of Fish and Wildlife, Biogeographic Data Branch, Vegetation Classification and Mapping Program, 2022, *California Sensitive Natural Communities*. July 5.

Nesting Birds

Although no evidence of active nests was encountered during field survey of the project site, new nests could be established in advance of proposed construction. If new nests are established in advance of initiating project construction, new nests in active use could be vulnerable to loss or disturbance as trees and other vegetation is removed to accommodate construction of new residences, roadways, and other improvements. Construction in close proximity of nests in active use could lead to nest abandonment, unless appropriate seasonal restrictions are implemented. Destruction of bird nests in active use or activities that could lead to nest abandonment would be a violation of the Migratory Bird Treaty Act and State Fish and Game Code and would be a significant impact warranting implementation of Mitigation Measure BIO-1a to reduce impacts to a *less-than-significant* level.

A standard method to address the potential for nesting birds is either to initiate construction during the non-nesting season, which in Sonoma County is typically from September 1 to January 31, or to conduct a nesting survey within five days prior to initial tree removal and construction to determine whether any active nests are present that must be protected until any young have fledged and are no longer dependent on the nest. Protection of the nests, if present, would require that construction setbacks be provided during the nesting and fledging period, with the setback depending on the type of bird species, degree to which the individuals have already acclimated to other ongoing disturbance, and other factors. Without these controls, the proposed project could adversely affect nesting birds which would be a significant impact, warranting implementation of Mitigation Measure BIO-1a to reduce impacts to a *less-than-significant* level. The BA includes similar recommendations to address the potential loss of bird nests in active use (Mitigation Measure 6: Pre-Construction Nesting Bird Surveys and Protections) and the remote potential for nesting tricolored blackbird on the project site (Mitigation Measure 7: Pre-Construction Tri-Colored Blackbird Survey and Protections). While these measures would generally address the potential impact on nesting birds, they lack some of the specific instructions necessary to ensure proper implementation. This includes coordination with CDFW on appropriate setbacks if active nests are encountered, and verification with the Town that all conditions have been met before construction can proceed. Therefore, tree and vegetation removal associated with development under the proposed project could result in inadvertent loss or abandonment of bird nests in active use. However, impacts on nesting birds would be reduced to a *less-than-significant* level with implementation of Mitigation Measure BIO-1a, which is consistent with General Plan Mitigation Measure BIO-1.

Impact BIO-1a: Tree and vegetation removal could result in loss or destruction of native bird nests in active use in violation of the Migratory Bird Treaty Act and State Fish and Game Code unless proper procedures and coordination with California Department of Fish and Wildlife (CDFW) are implemented as part of any avoidance measures.

> Mitigation Measure BIO-1a: Adequate measures shall be taken to avoid inadvertent take of bird nests protected under the federal Migratory Bird Treaty Act and Department of Fish and Game Code when in active use. This shall be accomplished by taking the following steps.
>
> - If tree removal and initial construction is proposed during the nesting season (February 1 to August 31), a focused survey for nesting raptors and other migratory birds shall be conducted by a

qualified biologist within five days prior to the onset of tree and vegetation removal in order to identify any active nests on the site and surrounding area within 100 feet of proposed construction. The project site shall be resurveyed to confirm that no new nests have been established if vegetation removal and demolition has not been completed or if construction has been delayed or curtailed for more than five days during the nesting season.

- If no active nests are identified during the construction survey period, or development is initiated during the non-breeding season (September 1 to January 31), tree and vegetation removal and building construction may proceed with no restrictions.
- If bird nests are found, an adequate setback shall be established around the nest location and vegetation removal and construction activities restricted within this no-disturbance zone until the qualified biologist has confirmed that any young birds have fledged and are able to function outside the nest location. Required setback distances for the no-disturbance zone shall be based on input received from the CDFW, and may vary depending on species and sensitivity to disturbance. As necessary, the no-disturbance zone shall be fenced with temporary orange construction fencing if construction is to be initiated on the remainder of the project site.
- A report of findings shall be prepared by the qualified biologist and submitted to the Town for review and approval prior to initiation of vegetation removal and other construction during the nesting season (February 1 to August 31). The report shall either confirm absence of any active nests or should confirm that any young are within a designated no-disturbance zone and construction can proceed. No report of findings is required if vegetation removal and other construction is initiated during the non-nesting season (September 1 to January 31) and continues uninterrupted according to the above criteria.

Special-Status Bat Species

Trees on the project site could provide roosting habitat for a number of special-status bat species, including pallid bat, Townsend's western big-eared bat, and hoary bat, among others. Tree removal and construction disturbance as part of building and roadway construction in the immediate vicinity of an active bat roost could affect special-status bats and other more common bats if present. Direct impacts on bats could occur if construction activities resulted in direct mortality or the disruption or abandonment of an active bat roost(s).

A standard method to address the potential for roosting bats is to conduct a roosting survey within seven days prior to initial tree removal and construction to determine whether any active roosts are present that must be protected until any young have fledged and are no longer dependent on the roost. Protection of the roost, if present, would require that construction setbacks be provided, with the setback depending on the type of bat species, degree to which the individuals have acclimated to ongoing disturbance, and other factors. Procedures for pruning and removal of trees determined to provide suitable bat roosting habitat would be overseen by a qualified biologist. Without these controls, the proposed project could adversely affect roosting bats would be a significant impact warranting implementation of Mitigation Measure BIO-1b to reduce impacts to a *less-than-significant* level

The General Plan EIR does not specifically address the potential impacts of buildout of the General Plan on roosting bats. The BA does contain a measure intended to ensure that active roosting bats are not disturbed as a result of tree trimming and removal (Mitigation Measure 8: Special-Status Bat Habitat Protections). While many of the provisions in the measures would generally address the potential impact on roosting bats, it lacks some of the specific instructions necessary to ensure proper implementation. This includes coordination with CDFW on appropriate setbacks if active roosts are encountered, and verification with the Town that all conditions have been met before construction can proceed. Therefore, tree removal associated with development under the proposed project could result in inadvertent loss or injury to roosting bats, possibly including maternity roosts if any are present on the project site. Impacts on roosting bats would be reduced to a *less-than-significant* level with implementation of Mitigation Measure BIO-1b.

Impact BIO-1b: Tree pruning, and removal could result in loss or injury to roosting bats unless proper procedures and coordination with California Department of Fish and Wildlife (CDFW) are implemented as part of any avoidance measures.

Mitigation Measure BIO-1b. Adequate measures shall be taken to avoid inadvertent take of special-status and more common bat species if present in trees on the project site. This shall be accomplished by taking the following steps.

- A qualified biologist shall visually inspect trees to be removed for bat roosts within seven days prior to their removal or pruning. The biologist shall look for signs of bats including sightings of live or dead bats, bat calls or squeaking, the smell of bats, bat droppings, grease stains or urine stains around openings in trees, or flies around such openings. Trees with multiple hollows, crevices, forked branches, woodpecker holes, or loose and flaking bark have the highest chance of occupation and shall be inspected the most carefully.
- If signs of bats are detected, confirmation on presence or absence shall be determined by the qualified biologist, which may include night emergency or acoustic surveys.
- Due to restrictions of the California Health Department, direct contact by workers with any bat is not allowed. The qualified bat biologist shall be contacted immediately if a bat roost is discovered during project construction.
- If an active maternity roost is encountered during the maternity season (April 1 to August 31), the CDFW shall be contacted for direction on how to proceed and an appropriate exclusion zone established around the occupied tree until young bats are old enough to leave the roost without jeopardy. The size of the buffer would take into account:
  - Proximity and noise level of project activities;
  - Distance and amount of vegetation or screening between the roost and construction activities; and
  - Species-specific needs, if known, such as sensitivity to disturbance.
- Where the qualified biologist has determined that a tree provides suitable habitat for bat roosting, the qualified biologist shall oversee its removal according to the following procedure.
  - Pruning or removal of living trees or snags shall preferably not occur during the maternity season between April 1 and August 31 to minimize the disturbance of young that may be present and unable to fly.

- Pruning or removal of living trees or snags that provides suitable habitat for bats shall preferably occur between the hours of 12 pm and sunset on days after nights when low temperatures were 50° or warmer to minimize impacting bats that may be present in deep torpor.
- When it is necessary to perform crown reduction on trees over 12 inches in diameter breast height or remove entire trees or branches over six inches in diameter there shall be preliminary pruning of small branches less than two inches in diameter performed the day before. The purpose of this is to minimize the probability that bats would choose to roost in those trees the night before the work is performed.

- The qualified biologist shall oversee installation of a minimum of six bat boxes in large trees to be preserved on the project site to provide compensation for the loss of potentially suitable bat roosting habitat as a result of tree removal.
- A report of findings shall be prepared by the qualified biologist and submitted to the Town for review and approval prior to initiation of tree removal summarizing the results of the preconstruction survey. The report shall either confirm absence of any active roosts or define appropriate controls to be implemented under the supervision of the qualified biologist in accordance with the above criteria.

Special-Status Bumble Bees

Vegetation removal and grading has the remote potential to impact one or more special-status bumble bee species. Unsuitable habitat conditions and continued decline and range restrictions makes it highly unlikely that Blennosperma vernal pool andrenid bee and the candidates for endangered status under CESA, Crotch bumble bee and western bumble bee, are present on the project site. Similarly, declines in distribution and other factors make it unlikely that obscure bumble bee is present on the project site. However, the BA concludes that there remains a possibility that special-status bumble bee species may be present on the project site and includes a mitigation measure to address this significant-but-mitigable impact (Mitigation Measure 9: Special-Status Bee Species Habitat Mitigation). This consists of the following measure:

> *The loss of non-native annual grassland and valley oak woodland habitat at the site has the potential to impact bee nesting burrow habitat and foraging resources. To mitigate for these habitat losses, a Special-Status Bee Species Habitat Mitigation Plan will be prepared and implemented at the site, in conjunction with the Riparian Restoration Plan. The mitigation plan will include proposed improvements to nesting burrowing habitat and propose a floral resource planting plan to provide a diversity of native flowering plant species that can be utilized by a diversity of bee species as well as insects. The mitigation area will be within the open space preserve area at the site.*

The General Plan EIR does not specifically address the potential impacts of buildout of the General Plan on special-status bumble bee species. However, the Special-Status Bee Species Habitat Mitigation Plan recommended in the BA would generally serve to adequately address the potential for adverse impacts on special-status bumble bee species. However, it lacks details to ensure adequacy and successful

implementation. Therefore, vegetation removal and grading associated with development under the proposed project could result in loss of suitable habitat for special-status bee species if present on the project site. Impacts on special-status bee species would be reduced to a *less-than-significant* level with implementation of Mitigation Measure BIO-1c.

Impact BIO-1c: Vegetation removal and grading could result in the loss of special-status bee species and suitable habitat for these species if present on the project site.

Mitigation Measure BIO-1c. Adequate measures shall be taken to preserve and enhance suitable habitat for special-status bee species on the project site. This shall be accomplished by taking the following steps.

- A qualified biologist shall prepare and oversee implementation of a Special-Status Bee Species Habitat Mitigation Plan (SSBSHMP). The SSBSHMP shall be prepared in conjunction with the Riparian Restoration Plan required to address potential impacts on riparian habitat described in Mitigation Measure BIO-3.1.
- The SSBSHMP shall include improvements to nesting burrowing habitat and a floral resource enhancement planting plan to provide a diversity of native flowering plant species that can be utilized by a diversity of bee and other insect species. Species used in the planting plan shall be indigenous to the Windsor area and shall be suitable for planting in areas of grassland and oak woodland habitat.
- Improvements and enhancement plantings under the SSBSHMP shall be implemented in the proposed open space area on the project site and shall be compatible with other mitigation contemplated for this area to address potential impacts on seasonal wetlands, riparian habitat and native tree loss.
- The SSBSHMP shall be reviewed and approved by the Town prior to initiation of vegetation removal and grading.

Western Pond Turtle

The project site and adjacent areas lack suitable habitat for permanent occupation by western pond turtle. The central drainage lacks deep, perennial pools necessary for retreat, and is unsuitable for use by western pond turtle when it dries out. However, the BA concludes that there is a remote possibility that western pond turtle could be present in the central drainage when construction proceeds and includes a mitigation measure to address this significant-but-mitigable impact (Mitigation Measure 10: Western Pond Turtle Survey and Protections). The General Plan EIR does not specifically address the potential impacts of buildout of the General Plan on western pond turtle and does not include any mitigation for preconstruction surveys. However, the mitigation measure called for in the BA would adequately address potential impacts on western pond turtle in the remote instance an individual turtle was present with grading and construction proceeds. Therefore, this measure, shown here as Mitigation Measure BIO-1d, would fully mitigate the potential impact to a *less-than-significant* level.

Impact BIO-1d: Construction of the proposed project could result in the loss of the western pond turtle, which is a species of special concern (SSC) by the California Department of Fish and Wildlife (CDFW), and suitable habitat for these species if present on the project site.

> Mitigation Measure BIO-1d. A pre-construction survey for western pond turtle shall be performed at the site by a qualified biologist to determine if western pond turtles occur in the seasonal wetland swale or adjacent areas at the site. If a western pond turtle is observed, it should be allowed to leave the construction area on its own. Construction activities will not commence until the western pond turtle has left the construction area.

b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

The proposed project would impact riparian woodland and valley oak woodland sensitive natural community types on the site. As indicated in Figure 4-1, a small area of approximately 0.06 acres of riparian woodland habitat would be impacted along approximately 75 linear feet at the downstream end of the central drainage to accommodate the extension of Country Meadow Way across the project site. This small area of riparian woodland is dominated by arroyo willow in an area that has been disturbed by past channelization activities, including installation of a riprap bed to this segment of the drainage and culvert that conveys flows through an underground system along the Country Meadow right-of-way. The BA includes mitigation measures to address this loss of riparian habitat (Mitigation Measure 2: Riparian Habitat and Seasonal Drainage Mitigation). This consists of the following measures, shown here as Mitigation Measure BIO-2.1:

> *Obtain permit authorization from the CDFW under 1600 Lake or Streambed Alteration Agreement for the loss of 0.06-acres of riparian woodland habitat and 75-linear feet of seasonal drainage. Implement all agency permit conditions.*
>
> *Prepare and implement a Riparian Restoration Plan for the loss of 0.06-acres of riparian woodland habitat and 75-linear feet of seasonal drainage.*

Development as proposed would also result in the conversion of an estimated three acres of valley oak woodland and non-native grassland to residential development. According to the Tree Preservation Plan, this consists of the removal of an estimated 224 trees that qualify as protected size under the Town's Tree Preservation and Protection Ordinance (Chapter 27.36 of the Town's Zoning Ordinance), and an additional 91 trees that do not qualify as protected size or species. Most of these trees to be removed are valley oaks. Further review of conformance of the project with the provisions of the Town's Tree Preservation and Protection Ordinance is provided under criterion (e).

As described in Section 3.2.8, *Dedicated Open Space*, approximately 2.1 acres of the denser valley oak woodland in the eastern portion of the site would be retained as permanent open space, including most of the mature specimen valley oak trees with trunk diameters greater than 24 inches, as part of the

proposed project. The TRI[69] includes tree preservation guidelines and tree protection fencing details, which consist of standard practices to ensure preservation of trees to be retained. The Tree Preservation Plan indicates that at least 21 trees of protected size are in close proximity to grading and development, requiring monitoring by the project arborist during construction to ensure adequate protection.

The BA concludes that potential impacts on valley oak woodland would be significant and recommends mitigation to address the loss of valley oak woodland and individual trees (Mitigation Measure 5: Tree Mitigation). This consists of the following measures, shown here as Mitigation Measure BIO-2.2:

> *Habitat mitigation for the loss of trees, valley oak woodland habitat, and suitable habitat for special-status bat species at the site will consist of the dedication of 2.07-acres of valley oak woodland habitat to the Town of Windsor to be preserved in perpetuity.*
>
> *A development agreement with the Town of Windsor is proposed which will allow the developer to dedicate the open space area to the Town of Windsor, thereby allowing the long-term preservation of trees and other habitats in exchange for not requiring the developer to pay tree mitigation in-leu fees for the portion of the site that will be developed. Furthermore, the Town of Windsor has expressed support for a "Development Agreement" to pursue a "net-zero" tree mitigation fee.*

These measures would address the loss of 0.06 acres of riparian habitat and the valley oak woodland on the project site converted to residential development. The General Plan EIR includes a review of goals and policies related to protection of biological and ecological resources, including oak woodlands and riparian woodlands. Policy ER-6.2, *Sensitive Resources Inventory for New Development*, requires that detailed studies be conducted to identify any sensitive resources and appropriate measures for their protection. Policy ER-6.3, *Biological Studies for Undeveloped Areas,* requires preparation of a biological assessment and identification of appropriate mitigation, which is reinforced under Policy ER-6.5, *Applicant Mitigation Obligation*. The BA was prepared in fulfilment of these General Plan policies, and this Initial Study provides for an independent review of their adequacy. Given that the proposed project involves preservation and enhancement of the higher quality stand of valley oak woodland, including most of the mature specimen oaks, and that sufficient area is available in the proposed open space area to provide for replacement of the 0.06 acres of riparian woodland, and potential impacts on sensitive natural communities are considered mitigated to a *less-than-significant* level.

Impact BIO-2: The proposed project would result in the loss of riparian woodland habitat and valley oak woodland on the project site.

> Mitigation Measure BIO-2.1. Prior to receiving construction permits from the Town, the project applicant shall implement the following:
>
> - Obtain permit authorization from the California Department of Fish and Wildlife under 1600 Lake or Streambed Alteration Agreement for the loss of 0.06-acres of riparian woodland. habitat and 75-linear feet of seasonal drainage and implement all agency permit conditions.

[69] Horticultural Associates, 2022. *Tree Inventory Report, 7842 Hembree Lane, Windsor, CA.* Prepared for DRG Builders, June 9.

- Prepare and implement a Riparian Restoration Plan for the loss of 0.06-acres of riparian woodland habitat and 75-linear feet of seasonal drainage.

Mitigation Measure BIO-2.2. As part of the project approval process, the project applicant shall dedicate approximately 2.1 acres of valley oak woodland habitat to the Town of Windsor to be preserved in perpetuity as part of the development agreement with the Town of Windsor, thereby allowing the long-term preservation of trees and other habitats.

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

The proposed project would impact a portion of the central drainage and areas of scattered seasonal wetlands (see Figure 4-2). Collectively, an estimated 0.192 acres of scattered seasonal wetlands and regulated waters along the central drainage. These consist of an estimated 0.12 acre associated with the four scattered seasonal wetlands and 0.072 acres of regulated waters along the central drainage to accommodate roadway and outfall improvements. As indicated in Figure 4-2 the limits of grading and development would avoid most of the central drainage and the large seasonal wetland in the southeastern portion of the project site.

The BA concludes that potential impacts on seasonal wetlands and regulated waters would be significant and recommends mitigation to address their loss (Mitigation Measure 1: Seasonal Wetland and Suitable Endangered Plant Mitigation). Although no special-status plant species were encountered during systematic surveys of the project site conducted in 2006, 2008, and 2022, the BA includes mitigation for suitable habitat for federally endangered vernal pool plants- Burke's goldfields (*Lasthenia burkei*), Sonoma sunshine (*Blennosperma bakeri*), Sebastopol meadowfoam (*Limnanthes vinculans*), and many-Flowered Navarretia (*Navarretia leucocephala* ssp. *plieantha*)- regulated as part of the SRPCS. Compensatory mitigation for loss of suitable habitat for federally endangered plants would likely be required at a 1.5:1 habitat mitigation ratio in accordance with the Programmatic Biological Opinion (PBO)[70] issued by the USFWS as part of their consultation with the Corps for projects on the Santa Rosa Plain, which includes the project site. Because authorization is required from the Corps for impacts to federally regulated waters, the project must comply with the requirements of the PBO. Mitigation measures in the BA reflect this requirement to address the loss of both regulated waters and suitable habitat for federally endangered vernal pool habitat. This consists of the following measures, shown as Mitigation Measure BIO-3.1 through BIO-3.5:

Obtain permit authorization from the Corps under the 404 Nationwide Permit Program for the loss of 0.192-acres of seasonal wetland habitat. Implement all agency permit conditions.

[70] United States Fish and Wildlife Service, 2020. *Reinitiation of Formal Consultation of Issuance of Clean Water Act, Section 404 Permits by the* United States *Army Corps of Engineers (Corps) on the Santa Rosa Plain, Sonoma County, California.* June 11.

Obtain permit authorization from the State Water Resources Control Board (SWRCB) under the 401 Water Quality Certification Program for the loss of 0.192-acres of seasonal wetland habitat. Implement all agency permit conditions.

Request the Corps to append the project to the USFWS Programmatic Biological Opinion - Reinitiation of Formal Consultation of Issuance of Clean Water Act, Section 404 Permits by the Corps on the Santa Rosa Plain, Sonoma County, California dated June 11, 2020. Implement all conditions required by the USFWS under the Programmatic Biological Opinion.

Mitigate for the loss of 0.192-acres of seasonal wetland habitat through the purchase of seasonal wetland habitat credits at a 1:1 ratio at an agency approved wetland mitigation bank.

Mitigate for the loss of 0.192-acres of suitable federally endangered vernal pool plant habitat through the purchase of federally endangered vernal pool plant species credits at a 1.5:1 mitigation ratio at an agency approved plant preservation bank.

These measures would address the loss of seasonal wetland habitat on the project site. Appropriate best management practices would be implemented during construction to control the limits of grading and to prevent erosion and sedimentation that could otherwise enter the central drainage and eventually be discharged downstream into Pool Creek, as discussed in Section IX, *Hydrology and Water Quality.* With these standard controls, jurisdictional waters would be adequately avoided, potential impacts would be *less than significant*.

The General Plan EIR includes an analysis of potential impacts on wetlands and regulated waters. It concludes that the General Plan goals and policies would require preservation of wetland and riparian habitat, compliance with State and federal wetland regulations, and prohibition of specific development near riparian corridors, and concludes that potential impacts would be less than significant with no additional mitigation required. With implementation of the mitigation measures in the BA together with appropriate best management practices, potential impacts on wetlands and regulated waters are considered mitigated to a *less-than-significant* level.

Impact BIO-3: The proposed project would result in loss of seasonal wetland habitat on the project site.

Mitigation Measure BIO-3.1. Prior to receiving construction permits from the Town, the project applicant shall obtain permit authorization from the United States Army Corps of Engineers under the 404 Nationwide Permit Program for the loss of 0.192-acres of seasonal wetland habitat and implement all agency permit conditions.

Mitigation Measure BIO-3.2. Prior to receiving construction permits from the Town, the project applicant shall obtain permit authorization from the State Water Resources Control Board (SWRCB) under the 401 Water Quality Certification Program for the loss of 0.192-acres of seasonal wetland habitat and implement all agency permit conditions.

Mitigation Measure BIO-3.3. Prior to receiving construction permits from the Town, the project applicant shall request the United States Army Corps of Engineers (Corps) to append the project to the United States Fish and Wildlife Services (USFWS) Programmatic Biological Opinion-Reinitiation of Formal Consultation of Issuance of Clean Water Act, Section 404 Permits by the Corps on the Santa Rosa Plain, Sonoma County, California dated June 11, 2020 and implement all conditions required by the USFWS under the Programmatic Biological Opinion.

Mitigation Measure BIO-3.4. Prior to receiving construction permits from the Town, the project applicant shall mitigate for the loss of 0.192-acres of seasonal wetland habitat through the purchase of seasonal wetland habitat credits at a 1:1 ratio at an agency approved wetland mitigation bank.

Mitigation Measure BIO-3.5. Prior to receiving construction permits from the Town, the project applicant shall mitigate for the loss of 0.192-acres of suitable federally endangered vernal pool plant habitat through the purchase of federally endangered vernal pool plant species credits at a 1.5:1 mitigation ratio at an agency approved plant preservation bank.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife sites?

The proposed project would not have any significant adverse impacts on wildlife movement opportunities or adversely affect native wildlife nurseries. Wildlife in the vicinity of the project site is already acclimated to human activity, and construction-related disturbance would not cause any significant impacts on common wildlife species found in the area. Some common species could be eliminated or displaced from portions of the project site during construction due to the conversion of these areas to residential use. But these are not special-status species and their loss or displacement would not be considered a significant impact. Pre-construction surveys recommended in Mitigation Measures BIO-1a and 1b would ensure avoidance of any nesting birds or roosting bats if present within the limits of disturbance and conform with the intent of policies in the General Plan to protect sensitive wildlife habitat features. Wildlife species would continue to utilize the remaining available habitat in the proposed open space area on the project site, using the remaining trees, grasslands and seasonal wetlands for foraging, roosting, and other activities. No substantial disruption of movement corridors or access to native wildlife nurseries is anticipated. Potential impacts on wildlife movement opportunities would be *less than significant*.

e) Would the project conflict with any local ordinances or policies protecting biological resources?

Proposed development on the project site could conflict with relevant policies of the General Plan, as well as the Town's Tree Protection and Preservation Ordinance unless adequate controls and mitigation are provided. Implementation of the mitigation measures recommended in criteria (a) through (d), which include those from the BA related to special-status species, seasonal wetlands and regulated waters, and tree resources would ensure conformance with the following relevant goals and policies in the General Plan:

- Policy ER-6.1: Protection of Biological and Ecological Resources. The Town shall protect significant biological and ecological resources in Windsor, including wetlands, in particular, high value wetlands;

rare, threatened, or endangered species; vulnerable habitats; vernal pools; oak groves and woodlands; riparian woodlands, and heritage trees.

- Policy ER-6.2: Sensitive Resources Inventory for New Development. The Town shall require a detailed inventory of sensitive resources conducted by an independent, professionally qualified biologist, plant ecologist, arborist, or appropriately qualified specialist for development proposals in sensitive and vulnerable habitats. If sensitive resources are identified on the project site, proposals to protect them shall conform with applicable State and Federal regulations regarding their protection and may include avoidance of the resource, installing vegetative buffers, providing setbacks, clustering development onto less sensitive areas, preparing restoration plans, and off-site mitigation.
- Policy ER-6.3: Biological Studies for Undeveloped Areas. The Town shall require project applicants to provide a biological assessment for projects on undeveloped parcels, unless a biological assessment has previously been prepared for the specific site. The purpose of these assessments is to identify appropriate mitigation measures to avoid or minimize harm to these resources and to incorporate the recommended measures as conditions of approval.
- Policy ER-6.4: Compliance with State and Federal Wetland Regulations. The Town shall ensure that development projects that would fill wetlands or vernal pools conform with applicable State and Federal regulations regarding the protection of these resources.
- Policy ER-6.5: Applicant Mitigation Obligation. The Town shall ensure the protection or restoration of sensitive biological resources that is required as a condition or mitigation of a development project is closely monitored at the cost of the project applicant to determine compliance with the condition or mitigation and to evaluate the effectiveness of the measure.
- Policy ER-6.6: Prohibition of Certain Activities in Riparian Habitats. The Town shall prohibit dumping or disposal of refuse; confinement of livestock; and structural improvements except necessary water supply projects, flood control projects, fish and wildlife enhancement projects, trail projects, road and bridge projects, and utility projects in significant riparian areas.
- Policy ER-6.7: Preservation of Oak Woodlands. The Town shall encourage the preservation of oak woodlands and significant stands of oaks and heritage trees. Development plans should indicate preservation of these resources to the fullest extent feasible and restrict pavement and other encroachments within the root zones of oak trees to ensure their long term survival. Should removal be necessary, the project applicant shall be required to plant replacement trees or removal can be done through the payment of an in-lieu fee.
- Policy ER-6.8: Tree Protection During Construction. The Town shall require proper measures be implemented to ensure the long-term survival of trees designated in the Tree Preservation and Protection Ordinance during construction activities. Fencing around individual trees or groups of trees shall be required to protect them from compaction and mechanical injury.
- Policy ER-6.9: Ecological Education and Access. Along creeks, wetlands, and vernal pools, the Town should encourage controlled public access, where appropriate, to educate the public regarding the area's natural resources and ecological processes.
- Policy ER-6.10: Interpretative Learning along Waterways. The Town shall encourage interpretive signage for education purposes in public access areas along streams and creeks.
- Policy ER-6.11: Natural Area Acquisition. The Town shall support Sonoma County and other open space organizations in efforts to acquire valuable ecological lands.

The General Plan EIR concludes development under the General Plan would be required to conform with relevant goals and policies and comply with the Tree Preservation and Protection Ordinance. The ordinance provides standards for the preservation, protection, and maintenance of native oak trees and mature trees in general. The ordinance requires a tree removal permit for removal of any tree or protected size, and also requires measures to protect trees to be retained during project construction. The ordinance includes requirements for tree replacement where appropriate, but also recognizes that preservation of all existing trees may be in conflict with reasonable land development.

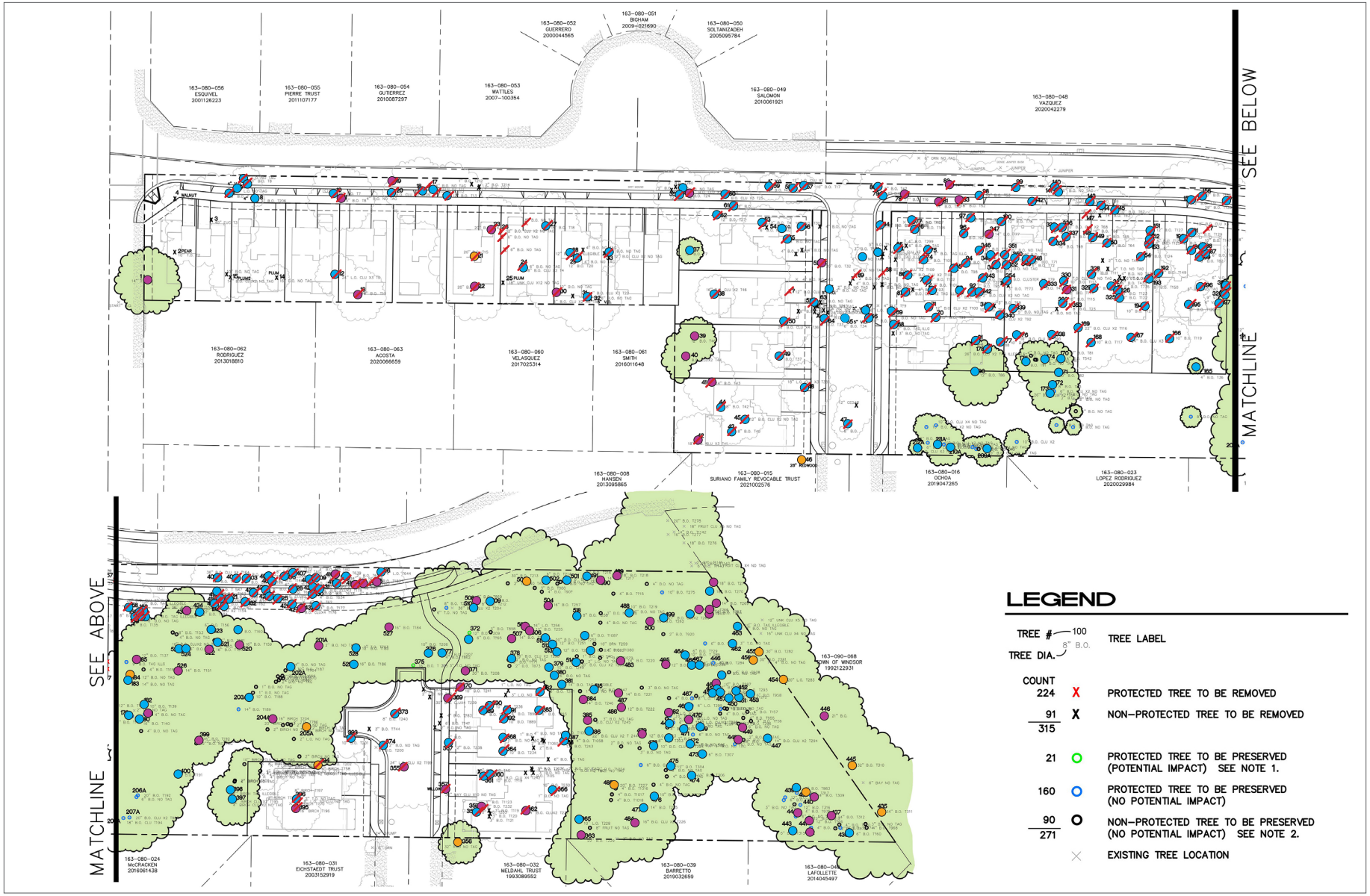
The TIRs collectively provide a thorough review of existing tree resources on the project site and adequately assesses anticipated tree removal. The size, health, recommendation for treatment and other variables were recorded for each tree in the TIRs. Assumptions related to anticipated loss and risk of damage appear reasonable. The TIRs includes specific recommendations for treatment of individual trees where construction practices pose a higher risk of compromise or damage, in which case a Certified Arborist is to inspect excavation and possible need for root pruning. Fencing is recommended to protect trees to be preserved and restrictions on landscaping within tree driplines are recommended to prevent long-term damage to root zones as a result of artificial irrigation or other changes.

As indicated in the proposed Tree Preservation Plan (see Figure 4-5, *Tree Resources*) an estimated 224 trees that qualify as protected size under the Town's ordinance are to be removed and an additional 21 would have construction within the dripline of trees to be preserved. Oaks and most trees are highly sensitive to disturbance to the root systems, trunk, and major limb systems. If the root system is severely damaged or improper conditions are created as a result of increased irrigation, soil compaction, placement of fills, or other changes, existing trees may suffer severe decline and eventually death.

To convey the relative size of trees proposed for removal and preservation as part of the proposed project, each tree of protected size in the Tree Preservation Plan was assigned one of three size classes based on trunk diameter (six to 12, over 12 to 24, and over 24 inches). This data was overlain on top of the Tree Preservation Plan as indicated in Figure 4-5. The vast majority of the trees on the project site are saplings and young trees (six to 12 inches), including those to be removed. Most of the trees of medium size (over 12 to 24 inches) would be retained in the proposed open space areas and yards of individual residences. All but one of the mature specimen trees (over 24 inches) would be preserved in the proposed open space area in the eastern half of the project site. According to the Tree Preservation Plan, an estimated 181 trees of protected size would be retained as part of the proposed project. With the proposed on-site preservation this would represent a preservation to removal ratio of about 1:1.24.

The Town's Tree Preservation and Protection Ordinance does not include specific standards for replacement, but given the large number of trees to be retained as part of the proposed project, together with the fact that most of the trees to be removed are smaller saplings with trunks up to 12 inches and most of the mature trees would be retained in permanent open space area, the proposed approach to tree avoidance and permanent protection appears to meet the intent of the Town's ordinance. As indicated in Section 27.36.060.B.4, it is ultimately up to the Planning Commission and Town Council to make a determination on the adequacy of tree replacement provisions in an application, including on-site avoidance and preservation.

ENVIRONMENTAL ANALYSIS



Source: Civil Design Consultants, Inc., 2022.

0 120
Scale (Feet)

Protected Tree Size Class

- 12 inches and under
- <12 inches to 24 inches
- >24 inches
- Tree to be removed

Figure 4-5
Tree Resources

The proposed on-site avoidance of an estimated 181 trees and establishment of an estimated 2.1 acres of open space to permanently protect the higher quality and larger valley oaks on the project site. Together with implementation of the tree protection guidelines specified in the TIR and mitigation measures in the BA, these provisions would serve to ensure conformance with the intent of the Town's Tree Preservation and Protection Ordinance. Further review of the proposed Tree Preservation Plan and need for any adjustments would be made as part of the project review. No substantial conflicts with local plans and policies are anticipated and potential impacts are considered mitigated to a *less than-significant* level.

f) Would the project conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or State habitat conservation plan?

The proposed project would not conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved conservation plan. No such conservation plans have been adopted encompassing the project vicinity, and no impact is therefore anticipated.

The SRPCS was prepared to establish a long-term conservation program sufficient to mitigate potential adverse effects on listed species due to future development on the Santa Rosa Plain. The SRPCS was prepared by an Implementation Committee comprised of representatives of local agencies (including the Town of Windsor), USFWS, CDFW, and the agricultural, environmental and private landowner communities. One of the ultimate goals of the SRPCS is to contribute to the recovery of the Sonoma County population of California tiger salamander, as well as four listed special-status plant species, Burke's goldfield, Sonoma sunshine, Sebastopol meadowfoam and many-flowered navarretia.

The SRPCS identifies ten Conservation and Preserve Areas, one of which is centered in the Windsor vicinity. The Windsor Plant Conservation Areas designated in the SRPCS occur at the southwestern, southeastern, and northwestern limits of the projected Urban Growth Boundary. None extend to within 4,000 feet of the project site (see Figure 10 in the SRPCS). The project site is within the Urban Growth Boundary and "Out of Potential Range for CTS" (see Figure 2 in the SRPCS). The proposed project would not conflict with any mapped resources identified in the SRPCS, which assumes the project site is outside the suspected range of California tiger salamander, and within the Urban Growth Boundaries for Windsor. No adverse impacts are anticipated, and no significant adverse impacts are anticipated.

IV. CULTURAL RESOURCES

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	❒	❒	■	❒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	❒	■	❒	❒
c) Disturb any human remains, including those interred outside of formal cemeteries?	❒	■	❒	❒

GENERAL PLAN EIR

Chapter 4.5, *Cultural Resources*, of the General Plan EIR, addressed the impacts to cultural resources associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The EIR concluded implementation of the General Plan would have the potential to impact historical and unique archaeological resources, requiring General Plan EIR Mitigation Measure CR-1 and CR-2, which would reduce the impacts to a less-than-significant level. Similarly, the General Plan EIR found the potential future buildout under the General Plan could result in potential impacts to paleontological resources, necessitating General Plan EIR Mitigation Measure CR-3, which would reduce the impact to a less-than-significant level. (Note that since the time of the certification of the EIR, the environmental topic of paleontological resources has been moved to the Geology and Soils environmental topic.) The General Plan EIR concluded development under the General Plan would result in a less-than-significant impact to human burial sites outside of formal cemeteries without mitigation but still required General Plan EIR Mitigation Measure CR-4 to reduce impacts to human burials. Note that General Plan EIR Mitigation Measure CR-1, requires the Town to add a program to the General Plan clarifying when an archaeological study and monitor is required; General Plan EIR Mitigation Measure CR-2 requires the Town to consult with applicable tribe(s) to determine appropriate measures for addressing the tribal cultural resources (TCRs) when there is a potential for a TCRs to be encountered or revealed; General Plan EIR Mitigation Measure CR-3 requires paleontological resource studies in certain circumstances; and General Plan EIR Mitigation Measure CR-4 requires the Town to comply with mandatory State law to protect human remains.

EXISTING CONDITIONS

A cultural resources study for the proposed project was prepared by Evans & De Shazo on June 7, 2022.[71] This study is not included as an appendix of this Initial Study because it contains confidential information on the location of archaeological resources and is therefore not available for public review pursuant to State law.

The methods used to complete the cultural resources study included a Northwest Information Center (NWIC) records search; a review of historical maps, aerial photographs, and other information related ownership and development history of the project site to assess the potential/sensitivity for historic period archaeological resources and to identify any persons significant in history associated with the project site; and a review of geoarchaeological reports and environmental data to determine the potential/sensitivity for precontact period archaeological resources; a Sacred Lands Inventory and Tribal outreach; and a pedestrian survey of the project site that was completed with the assistance of a tribal representative from Federated Indians of Graton Rancheria.

[71] Evans & De Shazo, Inc., 2022. *Results of a Cultural Resources Study for the Proposed Project at 7842 Hembree Lane, Windsor, Sonoma County, California (APN 162-080-047)* June 7.

A records search at the NWIC showed record of one previous cultural resource study that includes approximately five percent of the project site[72] and 14 other studies have been completed within 0.25 miles of the project site. The previous study that included the five percent of the project site concluded that although there were no cultural resources identified within or adjacent to the project site, there is a possibility of subsurface deposits in the Hembree Lane Pool Creek Bridge area, given the alluvial deposition present and due to the occurrence of archaeological sites in this area of Sonoma County on terraces adjacent to creeks.

According to the information on file at the NWIC, there are no previously recorded cultural resources within the project site; however, there are six previously recorded cultural resources within 0.5 miles of the project site, all of which are historic built environment resources, and four are also listed in the Built Environment Resource Directory (BERD). There are no cultural resources listed on the BERD within 0.25 miles of the project site, including resources listed in the California Register of Historic Places (CRHR), National Register of Historic Places (NRHP), California Historical Landmarks, and California Points of Historical Interest. Additionally, the *California Inventory of Historic Resources, Five Views: An Ethnic Sites Survey for California*, and the Town of Windsor Historic Register do not list any cultural resources within 0.25 miles of the project site.

Review of various historical maps, aerial photographs, and other information to determine past land use activities within the project site revealed that the project site appears to have been used for agricultural purposes for most of the historic period and does not appear to have ever contained any buildings. Therefore, the project site appears to have a low sensitivity for buried historic-period archaeological resources. However, given the project site's environmental setting it was determined that project site has a moderate to high sensitivity for buried precontact period archaeological resources.

Evans & De Shazo also conducted field survey of the project site on April 5, 2022, with the assistance of a Cultural Resources Specialist with the Federated Indians of Graton Rancheria. No precontact archaeological resources were observed within the project site. Potential historic period resources observed include one fragment of undiagnostic whiteware ceramic identified in the eastern portion of the project site, and the eucalyptus and four fruit trees (two cherry trees, one possible fig tree, and one unknown type of fruit tree) in the western portion of the project site near Hembree Lane. However, these potential historic period resources do not qualify for listing on the CRHR, because they do not appear to be associated with events that made a significant construction to the broad patterns of local or regional history of the cultural heritage of California or the United States (CRHR Criterion 1); do not appear to be associated with the lives of persons important to local, California, or United States history (CRHR Criterion 2); do not embody the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values (CRHR Criteria 3); nor have they yielded or have the potential to yield, information important to the prehistory or history of the local area, California, or the United States (CRHR Criterion 4).

[72] This study was the "*Archaeological Study of the Proposed Hembree Lane Road Widening and Hembree Lane Pool Creek Bridge Widening*" completed in 1990.

DISCUSSION

a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Under CEQA, both prehistoric and historic-period archaeological sites may qualify as historical resources.[73] Archaeological resources are addressed in criterion (b), and human remains are addressed in criterion (c).

As discussed previously in the existing conditions, the project site has been used for agricultural purposes for most of the historic period and does not appear to have ever contained any buildings. There are no cultural resources listed on the BERD or Town of Windsor Historic Register within 0.25 miles of the project site. Furthermore, the potential historic period resources observed during the field survey do not qualify for listing on the CRHR as they do not meet any of the CRHR criteria. Additionally, the General Plan EIR did not identify the project site as a historic resource.[74] Accordingly, impacts would remain consistent with the conclusions in the General Plan EIR and *less-than-significant* impacts to historical architectural resources would occur as a result of project development.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

As discussed previously in the existing conditions, the cultural resources study prepared for proposed project concluded that the project site has a low potential for buried historic-period archaeological resources and a moderate to high potential for buried (unknown) precontact period archaeological resources. Accordingly, if subsurface historical and pre-contact archaeological deposits that meet the definition of historical resource under CEQA Section 21084.1 or CEQA Guidelines Section 15064.5 are present at the project site, they could be damaged or destroyed by ground-disturbing construction activities (e.g., site preparation, grading, excavation, and trenching for utilities) associated with development allowed under the proposed project. Should this occur, the ability of the deposits to convey their significance, either as containing information about prehistory or history, or as possessing traditional or cultural significance to Native American or other descendant communities, would be materially impaired. Therefore, any project-related ground-disturbing activities[75] have the potential to affect buried (unknown) subsurface prehistoric archaeological resources that may be present. Implementation of Mitigation Measure CULT-1, which is not required by the General Plan EIR but would supplement General Plan EIR Mitigation Measure CR-1, would ensure impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

Impact CULT-1: The proposed project could cause a substantial adverse change in the significance of a buried (unknown) archaeological resource pursuant to CEQA Guidelines Section 15064.5.

[73] California Code of Regulations, Title 14, Chapter 3, Section 15064.5(c), *Determining the Significance of Impacts on Historical and Unique Archeological Resources*.

[74] Office of Historic Preservation, Listed California Historical Resources. Accessed June 19, 2020, at http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=43.

[75] Ground-disturbing activities include, but are not limited to, asphalt removal, grading, excavation and hand excavation, clearing, grubbing, and removing and/or recompacting unconsolidated soils near the ground surface.

Mitigation Measure CULT-1: The project applicant shall comply with the following procedures:

1. Prior to issuance of building permits by the Town, a qualified "archaeological monitor" under the supervision of a qualified "archaeologist" and a qualified "Native American monitor" shall be retained by the project applicant for Cultural Awareness Training pursuant to item 2 and archaeological monitoring pursuant to item 3.
2. Prior to construction, the qualified archaeological monitor and Native American monitor retained by the project applicant pursuant to item 1 shall provide Cultural Awareness Training for all supervisors, contractors, and equipment operators in order to familiarize them with the types of artifacts that could be encountered and the procedures to follow if subsurface cultural resources are unearthed during construction.
3. The qualified archaeological monitor and Native American monitor retained by the project applicant pursuant to item 1 shall observe all project-related ground disturbing activities within limits of the ground-disturbing footprint of the proposed project. Ground-disturbing activities include, but are not limited to, asphalt removal, grading, exaction, and hand excavation, clearing, grubbing, and removing and/or recompacting unconsolidated soils near the ground surface.

   If a suspected archaeological resource(s) (find) is encountered at any point during the project-related ground-disturbing activities on the project site, work within a minimum of 60 feet of the find shall be halted and the find shall be evaluated by the qualified archaeologist and Native American monitor to determine if the find qualifies for listing in the California Register of Historic Places (CRHR) and to determine if the find is human remains. The qualified Native American monitor, or other qualified representative of the appropriate tribe if the Native American monitor is not in the position to do so, shall determine if the find is a tribal cultural resource (TCR), and if the find is human remains, if the remains are Native American.

   If the find does not qualify for listing in the CRHR, is not a TCR, and is not human remains, then ground-disturbing activities may commence and no further archaeological investigation or mitigation shall be required. If the find qualifies for listing in the CRHR or is TCR, follow the procedures in item 4. If the find is determined to be human remains, follow the procedures in item 5.

4. If the find qualifies for listing in the CRHR or is a TCR, the qualified archaeologist, in consultation the Native American monitor (or other qualified representative of the appropriate tribe if the Native American monitor is not in the position to do so), Town, and project applicant shall determine whether preservation in place is feasible. If perseveration in place is feasible, a Preservation Plan shall be prepared by the archaeologist and Native American monitor and implemented by the project applicant. If preservation in place is infeasible in light of project design or layout, or is unnecessary to avoid significant effects, a Cultural Resources Data Recovery Plan (CRDRP) shall be developed by the qualified archaeologist and the Native American monitor, to outline excavation and laboratory procedures, and if appropriate, curation at a university depository or other treatment considered appropriate by the tribe. The CRDRP shall include, but is not limited to, the following:

- A description of the excavation and laboratory procedures, and if appropriate, curation at a university depository or other appropriate facility.
- Identify a proposed data recovery program and how the program would preserve the significant information the archaeological resource or TCR is expected to contain.
- Specify compliance with the applicable requirements of PRC Section 21083.2 for the treatment of the unique archaeological resources. Note that the treatment for most resources would consist of, but would not be limited to, sample excavation, artifact collection, site documentation, and historical research, with the aim of targeting the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project.
- Provisions for analysis of data in a regional context; reporting of results within a timely manner and subject to review and comments by the appropriate Native American representative, where applicable, before being finalized; curation of artifacts and data at a local facility acceptable to the Town and appropriate Native American representative, if applicable; and dissemination of final confidential reports to the appropriate Native American representative, if applicable, the Northwest Information Center of the California Historical Resources Information System and the Town.

5. If the find is determined to be human remains, the Sonoma County Coroner must be notified immediately. It is especially important that the suspected human remains, and the area around them, are undisturbed and the proper authorities are called to the scene as soon as possible, as it could be a crime scene. The coroner will determine if the remains are precontact period Native American remains or of modern origin and if there are any further investigation by the coroner is warranted. If the remains are suspected to be those of a precontact period Native American, the coroner shall contact the Native American Heritage Commission (NAHC) by telephone within 24-hours. The NAHC will immediately notify the person it believes to be the most likely descendant (MLD) of the remains. The MLD has 48-hours to make recommendations to the landowner for treatment or disposition of the human remains. If the MLD does not make recommendations within 48-hours, the landowner is required by law to reinter the remains in an area of the property secure from further disturbance. If the project applicant does not accept the recommendation of the MLD, the owner or the descendant may request mediation by NAHC. The applicant shall also retain a qualified archaeologist to evaluate the historical significance of the discovery, the potential for additional remains, and to provide further recommendations for treatment of the site in coordination with the MLD.

c) Would the project disturb any human remains, including those interred outside of formal cemeteries?

There are no known human remains on the project site; however, the potential to unearth buried (unknown) human remains during ground-disturbing activities associated with the construction phase of the project could occur. Any human remains encountered during ground-disturbing[76] activities associated

[76] Ground-disturbing activities include, but are not limited to, asphalt removal, grading, excavation and hand excavation, clearing, grubbing, and removing and/or recompacting unconsolidated soils near the ground surface.

with the proposed project would be subject to federal, State, and local regulations to ensure no adverse impacts to human remains would occur in the unlikely event human remains are found. The project applicant is required to comply with the State's laws and associated penalties that protect Native American and non-Native American human remains, including, but not limited to, the Native American Graves Protection and Repatriation Act, PRC Sections 5097 to 5097.98, and California Health and Safety Code Section 7050 and Section 7052.

Potential impacts related to the potential discovery or disturbance of any human remains accidently unearthed during construction activities associated with the proposed project would remain consistent with the conclusions in the General Plan EIR and would be *less than significant* with implementation of Mitigation Measure CULT-2, which is consistent with General Plan EIR Mitigation Measure CR-4.

Impact CULT-2: The proposed project could disturb human remains, including those interred outside of formal cemeteries.

Mitigation Measure CULT-2: Implement Mitigation Measure CULT-1, specifically item 5.

V. ENERGY

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	❒	❒	■	❒
b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	❒	❒	■	❒

GENERAL PLAN EIR

While these standards regarding energy impacts were adopted by the California Natural Resource Agency in December 2018 after the certification of the General Plan EIR, Chapter 5, *Other CEQA Required Sections,* of the General Plan EIR addressed energy impacts associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The General Plan EIR lists several General Plan policies that would reduce future energy consumption throughout the Town but did not draw an impact conclusion.

EXISTING CONDITIONS

Pacific Gas & Electric (PG&E) supplies electricity and natural gas to much of northern and central California – from Humboldt and Shasta counties in the north to Kern and Santa Barbara counties in the south – including the infrastructure for the Town of Windsor. Total electricity consumption in PG&E's service area is forecast to increase from 104,868 gigawatt-hours (GWh) in 2015 to 119,633 GWh in

2027.[77] The nearest PG&E substation to the project site is the Fulton Substation adjacent to Redwood Highway approximately 3.2 miles southeast of the project site. The nearest electricity transmission lines to the project site are 0.5 miles to the southwest to the project site along Trion Cir.[78]

As of 2013, the Town of Windsor joined Sonoma Clean Power (SCP), through an agreement with PG&E, to provide electricity to Windsor and the project site through renewable energy sources.[79] SCP is a customer-owned public agency, which provides 49 percent renewable option under the SCP CleanStart and 100 percent renewable option under the SCP EverGreen that SCP customers can opt into.[80] The proposed project would connect to the surrounding, existing infrastructure. Natural gas and associated infrastructure provided and maintained by PG&E provides natural gas and electricity for the Town of Windsor.[81]

DISCUSSION

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Construction activities use energy from various sources, such as on-site heavy-duty construction vehicles, vehicles hauling materials to and from the site, and motor vehicles transporting the construction crew and vendors.

Short-Term Construction Impacts

Electrical Energy

Construction of the proposed project would require energy use to power the construction equipment. The energy use would vary during different phases of construction—the majority of construction equipment during demolition and grading would be gas powered or diesel powered, and the later construction phases would require electric-powered equipment for interior construction and architectural coatings. However, it is anticipated that the majority of electric-powered construction equipment would be hand tools (e.g., power drills, table saws) and lighting, which would result in minimal electricity usage during construction activities. Sonoma Clean Power would supply electrical energy, which would be available for use during construction from existing power lines and connections, precluding the use of less-efficient generators. All construction equipment would cease operating upon completion of project construction.

[77] California Energy Commission (CEC). 2017. California Energy Demand Updated Forecast, 2017-2027. https://efiling.energy.ca.gov/getdocument.aspx?tn=214635, accessed on June 18, 2020.

[78] California Energy Commission (CEC). 2022, January 11. California Electric Infrastructure App Map https://cecgis-caenergy.opendata.arcgis.com/apps/california-electric-infrastructure-app/explore.

[79] Sonoma Clean Power, 2022. History of SCP. https://sonomacleanpower.org/history-of-scp, accessed May 31, 2022.

[80] Sonoma Clean Power Authority. 2020. 2020 Power Content Label. https://sonomacleanpower.org/uploads/documents/Power-Content-Label-2020-Web.pdf, accessed June 27, 2022.

[81] Town of Windsor. Resident Information, https://www.townofwindsor.com/469/Resident-Information, accessed May 15, 2022.

Natural Gas Energy

It is not anticipated that construction equipment used for the proposed project would not be powered by natural gas, and no natural gas demand is anticipated during construction.

Transportation Energy

Transportation energy (i.e., diesel fuel, gasoline, and or electric) used during construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel and/or gasoline. It is anticipated that the majority of off-road construction equipment, such as those used during site preparation and grading, would be gas or diesel powered.

Construction activities would be subject to applicable General Plan policies and State regulations such as anti-idling measures and limits on duration of activities, thereby reducing energy consumption. For example, to limit wasteful and unnecessary energy consumption from transportation, the construction contractors would minimize nonessential idling of construction equipment during construction in accordance with Section 2449 of the California Code of Regulations, Title 13, Article 4.8, Chapter 9, which limits nonessential idling of diesel-powered off-road equipment to five minutes. In addition, construction trips would not result in unnecessary use of energy since the project site is served by a major regional freeway system (Highway 101) that provide the most direct routes from various areas of the region.

In general, the proposed project would adhere to applicable General Plan policies and would therefore implement relevant policies that support energy conservation during project construction. Such policies are stated in the General Plan Environmental Resources (ER) Chapter, including Policy ER-5.11 and Policy ER-4.4. There are no unusual characteristics that would directly or indirectly cause construction activities to be any less efficient than would occur elsewhere (restrictions on equipment, labor, types of activities, etc.). Therefore, project-related construction activities would not result in wasteful or unnecessary electricity demands, and impacts would be *less than significant*.

Long-Term Operation Impacts

Operation of the proposed project would create higher demands for transportation energy use, natural gas and electricity demand. Energy use from operation of the proposed project would be from building heating, cooling, and ventilation; water heating; operation of electrical systems, use of on-site equipment and appliances; and indoor and outdoor residential lighting, and potential safety lighting on the walking path. In addition, the proposed project would also result in transportation energy demand associated with the increase in project-related vehicle trips.

Electrical Energy

At minimum, the proposed project would meet the latest Building Energy Efficiency Standards and CALGreen standards. As described in Section 3.1.3.3, *Other Town of Windsor Requirements*, the proposed project would be designed pursuant to CALGreen requirements. For example, the proposed residential

units would be built with energy and water efficient design measures, such as solar power, electric charging stations in the garages, and water efficient landscaping. Additionally, the proposed residential units would be designed to be approximately ten to 15 percent more energy efficient than the 2022 Building Energy Efficiency Standards. The General Plan also requires energy conservation standards for new residential construction, as contained in the California Energy Code, and conformance to the 2022 California Building Standards Code would ensure that the proposed residential units would be more energy efficient than the existing homes nearby the project site.[82] Furthermore, the proposed project would receive energy through Sonoma Clean Power (SCP) to provide renewable energy for all the proposed residential units.

Natural Gas Energy

The proposed residential units would contain and increase the demand of natural gas for heating. However, as mentioned previously, the proposed project would be built to exceed the 2022 Building Energy Efficiency Standards and meet the CALGreen requirements under the 2022 California Building Standards Code to ensure that the new dwelling units would efficiently use natural gas.[83]

Transportation Energy

The proposed project would consume transportation energy during operations from the use of motor vehicles. The project related VMT would primarily come from the residents and visitors driving to the proposed residential units. Based on the traffic study, the proposed project is expected to generate 226 more daily vehicle trips on a typical weekday compared to existing conditions.[84]

Although transportation energy demand would increase, statewide fuel reduction strategies and regulatory compliances (e.g., CAFE standards) will result in new cars that are more fuel efficient and the attrition of older, less fuel-efficient vehicles. Additionally, CARB approved the new Advanced Clean Cars II standards in 2022 that will ensure all new passenger cars, trucks and SUVs sold in the state will be zero-emitting by 2035.[85] The Advanced Clean Cars II standards will amend the Zero-Emission Vehicle Regulation to require an increase in zero-emission vehicles and amends the Low-Emission Vehicle Regulations to include more stringent standards for gasoline cars and heavier passenger trucks to continue to reduce smog-forming emissions. The CAFE standards are not directly applicable to residents or land use development projects, but to car manufacturers. Therefore, compliance with the CAFE standards by car manufacturers and the new Advanced Clean Cars II standards would ensure that vehicles produced in future years would have greater fuel efficiency.

The proposed project would also improve connectivity for pedestrians and bicyclists as it would keep the existing Class II bike lanes on both sides of Hembree Lane. Additionally, the 2014 Windsor Bicycle and

[82] Town of Windsor 2040 General Plan, Environmental Resources, ER-5.15 Energy Performance Standards, 2-104.
[83] Town of Windsor 2040 General Plan, Environmental Resources, ER-5.15 Energy Performance Standards, 2-104.
[84] TJKM, 2022. *Hembree Lane Oaks Subdivision Transportation Impact Study*. September 13.
[85] California Air Resources Board (CARB), August 25. Proposed Advanced Clean Cars II Regulations: All New Passenger Vehicles Sold in California to be Zero Emissions by 2035. https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program/advanced-clean-cars-ii.

Pedestrian Plan proposes the addition of a Class III bicycle lane on Cornell Street just east of the project site. The proposed project is also near SCT local bus route 66 that travels in a circular pattern around the town of Windsor. As described in Section 3.2.4.4, *Transit Passenger Shelter*, the proposed project would construct a passenger waiting shelter for this bus stop, improving the comfort and safety for users of this bus route. In addition, EV charging stations would be installed in the garages as required by the CALGreen adopted Tier 1 Standards.

The proposed project would also adhere to applicable General Plan policies and would therefore implement relevant policies that support energy conservation during project operation. Such policies are stated in the General Plan Land Use (LU), Environmental Resources (ER), and Housing (H) Chapter, including:

- Policy LU-6.1: Sustainable Land Use Pattern. The Town shall strive to provide an overall pattern of land uses that encourages sustainable development; creates a safe and attractive public realm; provides an interconnected network of streets; offers convenient alternatives to auto travel; ensures compatibility among uses; enhances livability and public health; sustains economic vitality; preserves open space and agricultural resources; and reduces air pollution, greenhouse gas emissions, and energy consumption.
- Policy ER-5.4: Encourage Development Patterns that Reduce Greenhouse Gas Emissions. The Town shall strive to reduce greenhouse gas emissions by encouraging compact, mixed-use, pedestrian/bicycle friendly, transit-oriented development that reduces vehicle miles traveled (VMT); promoting energy efficient building enhancements, construction practices, design, and site planning; improving the job-to-housing ratio; and other methods of reducing greenhouse gas emissions while maintaining a balance of housing types.
- Policy ER-5.8: Energy Conservation and Efficiency Programs. The Town shall promote energy conservation/energy efficiency improvement programs for residential and commercial properties such as those offered by Sonoma County Energy Independence Program (SCEIP) and Property Assessed Clean Energy (PACE), that reduce energy demand which contribute to background levels of regional air emissions and GHG emissions.
- Policy ER-5.9: Energy Conservation through Land Use. The Town shall promote the creation of a land use pattern that reduces operational energy requirements, especially for transportation purposes, by: a. Avoiding land use configurations and siting decisions that result in single-purpose automobile trips, and instead encouraging patterns that result in multi-purpose trips; b. Promoting land use patterns that may be easily served by local transit and linked with regional transit; and c. Promoting land use patterns that provide employment opportunities for Windsor residents.
- Policy ER-5.10: Energy Performance Standards. The Town shall require new construction to meet targeted energy performance standards to advance Town greenhouse gas reduction and other sustainability goals and policies identified in the General Plan. The Town will allow new development to select from a range of options to achieve a minimum energy performance standard, including, but not limited to, solar easements to guarantee access to increased renewable energy generation; installation of EV charging stations in homes and in commercial development to increase the ability for the public to use zero-emission vehicles; passive heating and cooling building design; solar roof and carport panels; cool roofs; Smart appliances; wind generation; installation of energy efficient appliances and fixtures; and other emerging technologies as they become available.

The Town shall work with affordable housing developers to assist in meeting the energy performance standards.

- Policy ER-5.13: Update Energy Policies and Programs. The Town shall regularly update and strengthen Town energy-related policies and programs for new and existing construction to reflect advances in technologies and practices.
- Policy ER-5.14: Compliance with Energy Regulations. The Town shall continue to enforce State energy regulations governing energy consumption and use of solar and other renewable energy resources in existing and new development.
- Policy H-8.1: The Town shall ensure that all new residential development meets or exceeds the standards contained in Title 24, Part 6 of the California Code of Regulations (Energy Efficiency Standards for Residential and Nonresidential Buildings) and the Town's Green Building Ordinance, and encourage the retrofitting of existing development to improve energy and conservation.

Overall, the operation-related fuel usage associated with the proposed project would adhere to applicable General Plan policies and would therefore ensure that the project would be consistent with the General Plan EIR. Consequently, the proposed project would not be any more inefficient, wasteful, or unnecessary than similar development projects. Accordingly, impacts would be *less than significant*.

b) Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

As discussed in criterion (b) of Section VIII, *Greenhouse Gas Emissions*, the proposed project would not conflict with the current CARB 2017 *Climate Change Scoping Plan* and *Plan Bay Area* 2050, all which involve planning for use of renewable energy planning and energy efficiency standards. As previously discussed, the proposed project would adhere to the applicable General Plan policies related to energy conservation and would be built to the current Building and Energy Efficiency Standards of the California PRC, Title 24, Part 6. As stated before, the proposed project would not conflict with or obstruct an applicable plan for renewable or energy efficiency. Accordingly, impacts would be *less than significant.*

VI. GEOLOGY AND SOILS

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	❒	■	❒	❒
ii) Strong seismic ground shaking?	❒	■	❒	❒

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
iii) Seismic-related ground failure, including liquefaction?	❒	■	❒	❒
iv) Landslides, mudslides, or other similar hazards?	❒	■	❒	❒
b) Result in substantial soil erosion or the loss of topsoil?	❒	■	❒	❒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	❒	■	❒	❒
d) Be located on expansive soil, as defined by Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	❒	■	❒	❒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	❒	❒	❒	■
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	❒	■	❒	❒

GENERAL PLAN EIR

Chapter 4.6, *Geology and Soils*, of the General Plan EIR, addressed geological and seismic-related impacts associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The EIR concluded that implementation of the General Plan that adherence to State building code requirements and General Plan policies would minimize the potential for loss, injury, or death following a seismic event, resulting in a less-than-significant impact requiring no mitigation. Similarly, the General Plan EIR concluded compliance with state and federal regulations and General Plan policies would result in a less-than-significant impact from erosion and loss of topsoil and construction of structures on expansive soils, requiring no mitigation. However, the General Plan EIR found a potential impact from soils incapable of adequately supporting septic tanks or alternative wastewater disposal systems in the unavailability of sewers. In response, the General Plan EIR requires Mitigation Measure GEO-1, which would reduce a potential impact to a less-than-significant level.

As previously described in Section IV, *Cultural Resources*, of this Initial Study, Chapter 4.5, *Cultural Resources*, of the General Plan EIR, addressed the impacts to paleontological resources, necessitating Mitigation Measure CR-3, which would reduce the impact to a less-than-significant level. (Note that at the time of the certification of the EIR, the environmental topic of paleontological resources was included in the Cultural Resources section.)

EXISTING CONDITIONS

The following reports were prepared specifically for the project site and are appended to this Initial Study as described:

- *Geotechnical Investigation: Proposed Hembree Lane Subdivision, 7842 Hembree Lane Windsor, California* (Geotechnical Report) prepared by PJC & Associates dated May 23, 2022, included as Appendix D, *Geotechnical Investigation*, of this Initial Study[86]
- *Results of a Paleontological Resources Study for the Proposed Project at 7842 Hembree Lane, Windsor, Sonoma County, California* (Paleontological Report) prepared by Evans & De Shazo dated June 7, 2022, included as Appendix E, *Paleontological Resources Report,* of this Initial Study [87]

The following summarizes the existing conditions of the project site with respect to geology, soils, and paleontological resources. A detailed description of the project's geologic setting is provided in the Geotechnical Report and Paleontological Report prepared for the project site.

- Geology. The project site is in the Coast Ranges Geomorphic Province of California. This province is characterized by northwest trending topographic and geologic features, and includes many separate ranges, coalescing mountain masses and several major structural valleys. The province is bounded on the east by the Great Valley and on the west by the Pacific Ocean. It extends north into Oregon and south to the Transverse Ranges in Ventura County. The project site is in southeastern Windsor and the terrain at the project site is overall level with subtle rolling high and low areas with an approximate elevation range of 117 to 125 feet above mean sea level.
- Soils. The subsurface conditions at the project site were investigated by drilling ten exploratory boreholes to depths of five to 30 feet below the existing ground surface. The boreholes were used to collect soil samples of the underlying strata for visual examination and laboratory testing. The exploratory boreholes encountered a topsoil deposit and alluvial soil strata which extended to the maximum depths explored. The topsoil deposit extended approximately 1.5 to six feet below the existing ground surface. The topsoil consisted of a sandy silt soil stratum which appeared medium stiff to hard, slightly moist to very moist, and exhibited low plasticity characteristics. Underlying the topsoil, the exploratory boreholes encountered alluvial soil strata which extended to the maximum depths explored. The alluvial soils varied from granular soil strata to cohesive soil strata. The granular alluvium appeared slightly moist to saturated, medium dense to dense and fine to coarse grained. The cohesive alluvium appeared moist to saturated, very stiff to hard and exhibited low plasticity characteristics.
- Groundwater. Groundwater was encountered at a depth of 13 feet below the ground surface, five feet below the ground surface, and 12 feet below the ground surface at the time of the subsurface exploration in March and April of 2022. However, based on knowledge of nearby projects it is believed that the shallow groundwater table was likely a perched[88] condition which should dissipate following seasonal rainfall.

[86] PJC & Associates, Inc., 2022. *Geotechnical Investigation: Proposed Hembree Lane Subdivision, 7842 Hembree Lane Windsor, California*. May 23.

[87] Evans & De Shazo, Inc., 2022. *Results of a Paleontological Resources Study for the Proposed Project at 7842 Hembree Lane, Windsor, Sonoma County, California.* June 7.

[88] Perched groundwater is unconfined groundwater separated from an underlying body of groundwater by an unsaturated zone.

- Hydrologic Soil Group. Based on our subsurface findings, the site soils have low infiltration rates when thoroughly saturated. According to the Natural Resources Conservation Service (NRCS) guidelines, the site soils should be designated as NRCS Hydrologic Soil Group D.
- Seismicity. The site is within a zone of high seismic activity related to the active faults that transverse through the surrounding region. Future damaging earthquakes could occur on any of these fault systems during the lifetime of the proposed project.
  - Faults and Fault Rupture. Geologic structures in the region are primarily controlled by northwest-trending dextral faults. The project site is not within an Alquist-Priolo Earthquake Fault Zone. According the USGS National Seismic Hazard Map, the closest known active faults to the site are the Rodgers Creek, the Maacama, and the Collayomi. The Rodgers Creek is 1.7 miles to the northeast, the Maacama is located six miles to the west, and the Collayomi is 17.8 miles to the northwest. Rupture of the ground surface is expected to occur along known active fault traces. No evidence of existing faults or previous ground displacement on the site due to fault movement is indicated in the geologic literature or field exploration. Therefore, the likelihood of ground rupture at the site due to faulting is considered to be low. However, it cannot be completely dismissed because the site is in an active tectonic area.
  - Ground Shaking. The site has been subjected in the past to ground shaking by earthquakes on the active fault systems that traverse the region. It is believed that earthquakes with significant ground shaking will occur in the region within the next several decades. Therefore, it must be assumed that the site will be subjected to strong ground shaking during the design life of the project.
  - Liquefaction. Based on the review of the ABAG liquefaction susceptibility map, the site is underlain by soils which are considered to have low liquefaction potential. In order to evaluate liquefaction potential at the site, the borehole designated BH-1 was drilled to a depth of 30 feet below the existing ground grade. The borehole encountered cohesive soil and relatively dense granular soil to the maximum depth explored. Therefore, the potential for liquefaction during a seismic event impacting the site is considered to be low.
  - Lateral Spreading and Lurching. Lateral spreading is normally induced by vibration of near-horizontal alluvial soil layers adjacent to an exposed face. Lurching is an action which produces cracks or fissures parallel to streams or banks when the earthquake motion is at right angles to them.
  - Expansive Soils. Based on the findings and laboratory testing, the sandy silt topsoil and near surface alluvial soils exhibit low plasticity characteristics. Therefore, the site soils are considered to exhibit low expansion potential. The presence of expansive soils at the site is not a consideration.
- Unique Geological Features. Unique geologic features are those that are unique to the field of geology. Each rock unit tells a story of the natural processes operating at the time it was formed. The rocks and geologic formations exposed at the earth's surface or revealed by drilling and excavation are our only record of that geologic history. What makes a geologic unit or feature unique can vary considerably. For example, a geologic feature may be considered unique if it is the best example of its kind and has distinctive characteristics of a geologic principle that is exclusive locally or regionally, is a key piece of geologic information important to geologic history, contains a mineral that is not known

to occur elsewhere in the County, or is used as a teaching tool. Unique geological features are not common in Windsor nor are they recognized in the General Plan or General Plan EIR. The geologic processes are generally the same as those in other parts of the state, country, and even the world. The geology and soils on the project site are common throughout the Town and region and are not considered to be unique.

- Paleontological Resources. Geologic maps and literature covering the bedrock and surficial geology and paleontology of the project site and surrounding area were reviewed to determine what exposed and/or subsurface rock units are present, and to assess the potential paleontological productivity of each rock unit in respect to the project site. The records search did not identify fossil discoveries or localities within the project site, nor within a two-mile radius, in formations that are present in the project site. A site visit was also conducted on April 9, 2022, to document the presence of sediments suitable for containing fossil remains, and the presence of any previously unrecorded fossil sites. The site visit identified latest Pleistocene-Holocene sands and gravels at the surface throughout the project site. Evidence of recent geotechnical exploration in the form drill cuttings and test pit back fill was used to visually observed the native geologic deposit. Silty Sand and Gravels were observed. Gravel clasts included predominantly basalt and rhyolite with a minor component of recycled obsidian gravels from the older Glen Ellen east and southeast of the project site.

DISCUSSION

a) *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; (ii) Strong seismic ground shaking; (iii) Seismic-related ground failure, including liquefaction; (iv) Landslides, mudslides or other similar hazards?*

The following discusses the potential impacts with respect to the seismic setting of the project site:

- Fault Rupture. No active faults are known to traverse the site, so the risk of surface fault rupture is considered low. Additionally, the proposed project is on a flat, undeveloped site, and would conform to building and safety standards, such as those within the California Building Code (CBC). As such, the proposed project would not exacerbate the effects of fault rupture and the impacts from project development as they relate to surface fault rupture are considered *less than significant*.
- Strong Seismic Ground Shaking. The hazards posed by strong seismic ground shaking during a major earthquake, while variable, are nearly omnipresent in the San Francisco Bay Area. As previously stated, the project site is within a zone of high seismic activity related to the active faults that transverse through the surrounding region. Future damaging earthquakes could occur on any of these fault systems during the lifetime of the proposed project. Adherence to applicable building code, including conformance to the CBC and the Town's building permit requirements would ensure that the impacts associated with strong seismic ground shaking are minimized to the maximum extent practicable. The impacts of project development as they relate to strong seismic ground shaking would be *less than significant*.

- Liquefaction. The project site is underlain by soils which are considered to have low liquefaction potential and the site-specific Geotechnical Report prepared for the project site determined that the potential for liquefaction during a seismic event impacting the site is also considered to be low. Accordingly, impacts associated with project development as they may relate to seismically induced liquefaction would be *less than significant*.
- Landslides. The site is generally flat with an elevation of 123 feet above mean sea level. The project site is not within an area as having a high potential for seismically induced landslides. Therefore, impacts associated with project development as they may relate to seismically induced landslides would be *less than significant*.

Overall, the General Plan EIR concluded that with compliance with applicable General Plan policies, as well as the CBC, impacts related to fault rupture hazards, strong seismic ground shaking, seismic-related liquefaction, and earthquake-induced landslides would be less than significant. As described previously, as development within the Town is required to comply with the CBC, which provides minimum standards to ensure that proposed structures are designed using sound engineering practices and appropriate engineering standards for the seismic area in which a project site is located. Projects designed in accordance with the CBC would be able to: (1) resist minor earthquakes without damage; (2) resist moderate earthquakes without structural damage, but with some non-structural damage; and (3) resist major earthquakes without collapse, but with some structural, as well as non-structural, damage. Although conformance with the CBC does not guarantee that substantial structural damage would not occur in the event of a maximum magnitude earthquake, conformance with the CBC can reasonably be assumed to ensure that the proposed structures would be survivable, allowing occupants to safely evacuate in the event of a major earthquake. The site-specific Geotechnical Report prepared for the proposed project includes design standards to further ensure the proposed development would not have the potential to directly or indirectly cause potential substantial adverse effects due to a seismic event. Accordingly, impacts would be reduced to a *less-than-significant* level with implementation of Mitigation Measure GEO-1 which requires the project applicant to apply the site-specific building and design standards in the Geotechnical Report.

Impact GEO-1. The proposed project has the potential to directly or indirectly cause potential substantial adverse effects due to a seismic event.

> Mitigation Measure GEO-1. The project applicant shall comply with the recommendations identified in the site-specific Geotechnical Report prepared for the proposed project related to seismic design. The recommendations shall be shown on the construction site plans prior to issuance of building permits.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Substantial soil erosion or loss of topsoil during construction could, in theory, undermine structures and minor slopes during development of the project site. However, compliance with existing regulatory requirements, such as the implementation of grading erosion control measures specified in the CBC and the WMC, would reduce impacts from erosion and the loss of topsoil. Examples of these control measures

are best management practices such as hydroseeding or short-term biodegradable erosion control blankets; vegetated swales, silt fences, or other forms of protection at storm drain inlets; post-construction inspection of drainage structures for accumulated sediment; and post-construction clearing of debris and sediment from these structures.

As discussed in Section IX, *Hydrology and Water Quality,* WMC Section 9-4-304, requires that an Erosion and Sediment Control Plan be prepared and submitted to the Town for review prior to the start of grading activities. Implementation Erosion and Sediment Control Plan, and other requirements for water quality previously discussed, would address any potential erosion and sediment issues associated with the proposed grading and site preparation activities. Further, because the discharge of storm water has the potential to cause erosion and stability problems if not managed properly, the proposed project's storm water treatment measures described in Section IX, *Hydrology and Water Quality,* would ensure impacts related to erosion damage would be less-than-significant. Adherence to Town regulations and stormwater treatment features of the proposed project would minimize the impacts of project development as it relates to substantial soil erosion or loss of topsoil. The site-specific Geotechnical Report prepared for the proposed project includes design standards to further ensure the proposed development would not result in substantial soil erosion or the loss of topsoil. Accordingly, impacts would be reduced to a *less-than-significant* level with implementation of Mitigation Measure GEO-2 which requires the project applicant to apply the site-specific building and design standards in the Geotechnical Report.

Impact GEO-2. Construction and operation of the proposed project has the potential to result in soil erosion or the loss of topsoil.

> Mitigation Measure GEO-2. The project applicant shall comply with the recommended drainage design standards identified in the site-specific Geotechnical Report prepared for the proposed project. The recommendations shall be shown on the construction site plans prior to issuance of building permits.

c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?*

As discussed in criterion (a), the project site is not within a seismically induced liquefaction hazard zone. Because of the low potential for liquefaction, the risk of lateral spreading at the site would also be low. The site is generally flat with an elevation of 123 feet above mean sea level. The properties surrounding the project site are also typified by low topographic relief. Therefore, the impacts of project development as they relate to liquefaction, lateral spreading, and landslides would not be significant. The site-specific Geotechnical Report prepared for the proposed project includes design standards to further ensure the proposed development would not be on unstable soil. Impacts would be reduced to a *less-than-significant* level with implementation of Mitigation Measure GEO-3 which requires the project applicant to apply the site-specific building and design standards in the Geotechnical Report.

Impact GEO-3. The proposed project would be developed on soils that could be unstable.

Mitigation Measure GEO-3. The project applicant shall comply with the recommendations identified in the site-specific Geotechnical Report prepared for the proposed project related to site grading and earthwork, and foundation options. The recommendations shall be shown on the construction site plans prior to issuance of building permits.

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

Expansive soils can undergo dramatic changes in volume in response to variations in soil moisture content. When wet, these soils can expand; conversely, when dry, they can contract or shrink. Sources of moisture that can trigger this shrink-swell phenomenon can include seasonal rainfall, landscape irrigation, utility leakage, and/or perched groundwater. Expansive soil can develop wide cracks in the dry season, and changes in soil volume have the potential to damage concrete slabs, foundations, and pavement. Special building/structure design or soil treatment are often needed in areas with expansive soils.

The proposed project would be subject to the CBC regulations and provisions, as adopted in the WMC, and enforced by the Town during plan review prior to building permit issuance. The CBC contains specific requirements for seismic safety, excavation, foundations, retaining walls, and site demolition, and also regulates grading activities, including drainage and erosion control. Thus, compliance with existing regulations and policies would ensure that the potential future development impacts permitted under the proposed project would be reduced. The site-specific Geotechnical Report prepared for the proposed project includes design standards to further ensure the proposed development would not have the potential to create substantial direct or indirect risks to life or property as a result of expansive soils. Accordingly, impacts would be reduced to a *less-than-significant* level with implementation of Mitigation Measure GEO-4 which requires the project applicant to apply the site-specific building and design standards in the Geotechnical Report.

Impact GEO-4. The proposed project has the potential to create substantial direct or indirect risks to life or property as a result of expansive soils.

Mitigation Measure GEO-4. The project applicant shall comply with the recommendations identified in the site-specific Geotechnical Report prepared for the proposed project related to expansive soils. The recommendations shall be shown on the construction site plans prior to issuance of building permits.

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

The proposed project would not include the use of septic tanks or alternative wastewater disposal systems. Accordingly, *no impact* would occur regarding soil capability to adequately support the use of septic tanks or alternative wastewater disposal systems.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

As discussed previously in existing conditions, the geology and soils on the project site are common throughout the town and region and are not considered to be unique. Therefore, there would be *no impacts* with respect to unique geological features.

Consistent with the Town's requirements as discussed previously in the existing conditions, a Paleontological Report was prepared for the project site. The records search and literature review conducted for the Paleontological Report did not reveal any fossil localities within or near the project site. However, the geology of the project site is defined as latest Pleistocene to Holocene sedimentary deposits, which have not been sufficiently studied and lack good exposures within the project site to warrant a definitive rating. Therefore, due to geologic landform, the potential for latest Pleistocene (Rancho La Brean-aged) fossils to be present, and the lack of good exposures within the project site to warrant a definitive rating, it is concluded that the project site currently has an undetermined potential for paleontological resources.[89] Implementation of Mitigation Measure GEO-5, which is consistent with General Plan EIR Mitigation Measure CR-3, would ensure impacts to paleontological resources would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

Impact GEO-5: Construction of the proposed project would have the potential to directly or indirectly affect an unknown unique paleontological resource.

> Mitigation Measure GEO-5: Prior to the start of construction, a qualified paleontologist, or his or her designee, shall conduct training for construction personnel regarding the appearance of fossils and the procedures for notifying a paleontologist should fossils be discovered by during project-related ground-disturbing activities. The qualified paleontologist should prepare a Paleontological Mitigation and Monitoring Program to be implemented during ground disturbance activity for the proposed project. Additionally, a paleontologist shall be on-call to respond in the event a fossil is recovered and to perform subsequent work to determine whether it can be identified and whether it meets significance criteria. A paleontological cross-trained archaeologist can also respond in the possible event of vertebrate fossil exposure during grading. In the event of a fossil discovery by construction personnel, all work in the immediate vicinity of the find shall cease until the paleontologist has the opportunity to inspect and evaluate the discovery. If it is determined that the fossil(s) is (are) scientifically significant, the qualified paleontologist shall monitor remaining ground disturbing activities (including grading, trenching, foundation work, and other excavations) on a full-time basis. Monitoring should be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources. The duration and timing of the monitoring shall be determined by the project paleontologist. If the project paleontologist determines that full-time monitoring is no longer warranted, he or she may recommend that monitoring be reduced to periodic spot-checking or cease entirely. Monitoring would be reinstated if any new or unforeseen deeper ground disturbances are required, and

[89] Evans & De Shazo, Inc., June 7, 2022. *Results of a Paleontological Resources Study for the Proposed Project at 7842 Hembree Lane, Windsor, Sonoma County, California.*

reduction or suspension would need to be reconsidered by the Principal Paleontologist. Ground disturbing activity that does not occur in areas mapped as high sensitivity or that do not exceed five feet in depth in areas overlying potentially high sensitivity units would not require paleontological monitoring.

VII. GREENHOUSE GAS EMISSIONS

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
e) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	❒	❒	■	❒
f) Conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	❒	❒	■	❒

GENERAL PLAN EIR

Chapter 4.7, *Greenhouse Gas Emissions*, of the General Plan EIR, addressed the impacts from GHG emissions associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The EIR concluded implementation of the General Plan would have a less-than-significant impact, and no mitigation measures were required.

EXISTING CONDITIONS

The existing project site is an undeveloped parcel of land with no structures or active uses, so there are no current GHG emissions from transportation sources, energy (natural gas and purchased energy), and area sources such as landscaping equipment.

Regulatory Setting

The Town chooses to rely on the advisory recommendations contained in their 2017 CEQA Air Quality Guidelines and BAAQMD's recently adopted 2022 significance thresholds for land use development projects as stated herein:[90]

A. Projects must be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b), or
B. Projects must include, at a minimum, the following project design elements:
    1. Buildings

[90] Bay Area Air Quality Management District (BAAQMD). 2022, *Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans*, https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa-thresholds-2022/justification-report-pdf.pdf?la=en.

a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
b. The project will not result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.

2. Transportation
   a. Achieve compliance with electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.
   b. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:
      1. Residential projects: 15 percent below the existing VMT per capita.
      2. Office projects: 15 percent below the existing VMT per employee.
      3. Retail projects: no net increase in existing VMT.

The General Plan stands as the local qualified reduction strategy, consistent with the requirements established under CEQA Guidelines Section 15183.5(b).[91] Therefore, Criterion A is used herein to determine the proposed project's impacts related to GHG emissions. As such, the proposed project could result in a potentially significant GHG emissions impact if found inconsistent with the land use pattern envisioned by the General Plan.

DISCUSSION

This section analyzes the types and quantities of GHG emissions from the construction and operation of the proposed project. An update to the background discussion of the GHG regulatory setting and air quality modeling in the General Plan EIR is in Appendix A, *Air Quality and Greenhouse Gas Emissions Data*, of this Initial Study.

Scientists have concluded that human activities are contributing to global climate change by adding large amounts of heat-trapping gases, known as greenhouse gases (GHGs), into the atmosphere. The primary source of these GHG is fossil fuel use. The Intergovernmental Panel on Climate Change (IPCC) has identified four major GHGs—water vapor, carbon dioxide (CO_2), methane (CH_4), and ozone (O_3)—that are the likely cause of an increase in global average temperatures observed within the 20th and 21st centuries. Other GHG identified by the IPCC that contribute to global warming to a lesser extent include nitrous oxide (N_2O), sulfur hexafluoride (SF_6), hydrofluorocarbons, perfluorocarbons, and chlorofluorocarbons.[92]

[91] Town of Windsor 2040 General Plan Final Environmental Impact Report SCH #2016112065, https://www.townofwindsor.com/DocumentCenter/View/21024/Final-EIR.

[92] Water vapor (H2O) is the strongest GHG and the most variable in its phases (vapor, cloud droplets, ice crystals). However, water vapor is not considered a pollutant, but part of the feedback loop rather than a primary cause of change.

Information on manufacture of cement, steel, and other "life cycle" emissions that would occur as a result of the project are not applicable and are not included in the analysis. Black carbon emissions are not included in the GHG analysis because the California Air Resources Board (CARB) does not include this pollutant in the state's Assembly Bill (AB) 32 inventory and treats this short-lived climate pollutant separately. A background discussion on the GHG regulatory setting and GHG modeling can be found in Appendix A, *Air Quality and Greenhouse Gas Emissions Data*, of this Initial Study.

a) Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

General Plan Consistency

Development of the proposed project would contribute to climate change through direct and indirect emissions of GHG from the construction activities needed to implement the project, which would generate a short-term increase in GHG emissions, as well as a long-term increase in GHG emissions from on-road mobile sources, energy use, area sources, water use/wastewater generation, and solid waste disposal. However, a project does not generate enough GHG emissions on its own to influence global climate change; therefore, this section evaluates the proposed project's contribution to the cumulative environmental impact associated with GHG emissions.

The General Plan Environmental Resources (ER) element contains multiple GHG reduction targets that align with AB 32 and SB 32, which call for communities in California to reduce emissions levels to 1990 levels by 2020 and 40 percent below 1990 levels by 2030.[93] Furthermore, the Town encourages smart growth development practices in accordance with SB 375 to reduce VMT to and from new development, as well as promote more alternative modes of travel within the Town. The General Plan provides numerous GHG reduction policies that would support local, regional, and State efforts to build a community that will be resilient to changing climate conditions. Since the General Plan includes a qualified GHG reduction plan and the specified GHG emissions reduction policies apply largely to the town, cumulative GHG emissions impacts are based on the land use designation consistency with the General Plan. For reference, the following is a list of the GHG emissions reduction policies of the General Plan:

- Policy ER-5.1: Community Greenhouse Gas Reduction. The Town shall strive to reduce emissions by 25 percent below the 1990 community emissions level by 2020, and further reduce community emissions by: 40 percent below the 1990 level by 2030; 60 percent below the 1990 level by 2040; and 80 percent below the 1990 level by 2050 (New Policy, Town Staff and Consultants).
- Policy ER-5.3: Greenhouse Gas Efficiency Target. The Town shall ensure that all new development projects and Public Works Improvement projects would result in less than 1.91 metric tons CO2e per service population (including residents and employees) per year from 2017 to 2030, less than 1.12 metric tons CO2e per service population per year from 2030 to 2040, and 0.49 metric tons CO2e per service population per year from 2040 to 2050 in order to ensure that the emissions targets for the years 2030, 2040, and 2050 in ER-5.1 and ER-5.2 would be achieved.

[93] Town of Windsor, 2018. Town of Windsor 2040 General Plan, https://www.townofwindsor.com/DocumentCenter/View/21498/Final-Town-of-Windsor-2040-General-Plan_2018-06-04.

- Policy ER-5.4: Encourage Development Patterns that Reduce Greenhouse Gas Emissions. The Town shall strive to reduce greenhouse gas emissions by encouraging compact, mixed-use, pedestrian/bicycle friendly, transit-oriented development that reduces Vehicle Miles Traveled (VMT); promoting energy efficient building enhancements, construction practices, design, and site planning; improving the job-to-housing ratio; and other methods of reducing greenhouse gas emissions while maintaining a balance of housing types.
- Policy ER-5.8: Energy Conservation and Efficiency Programs. The Town shall promote energy conservation/energy efficiency improvement programs for residential and commercial properties such as those offered by Sonoma County Energy Independence Program (SCEIP) and Property Assessed Clean Energy (PACE), that reduce energy demand which contribute to background levels of regional air emissions and GHG emissions.
- Policy ER-5.10: Energy Performance Standards. The Town shall require new construction to meet targeted energy performance standards to advance Town greenhouse gas reduction and other sustainability goals and policies identified in the General Plan. The Town will allow new development to select from a range of options to achieve a minimum energy performance standard, including, but not limited to, solar easements to guarantee access to increased renewable energy generation; installation of EV charging stations in homes and in commercial development to increase the ability for the public to use zero-emission vehicles; passive heating and cooling building design; solar roof and carport panels; cool roofs; smart appliances; wind generation; installation of energy efficient appliances and fixtures; and other emerging technologies as they become available.

  The Town shall work with affordable housing developers to assist in meeting the energy performance standards.
- Policy ER-5.11: Zero-Net-Energy Goals. The Town shall strive to implement the State goal of zero net-energy (ZNE) in all new residential construction by 2020 and ZNE in all new commercial construction by 2030.
- Policy ER-5.14: Compliance with Energy Regulations. The Town shall continue to enforce State energy regulations governing energy consumption and use of solar and other renewable energy resources in existing and new development.

General Plan GHG Reduction Policy Consistency

The proposed project would construct 24 single-family residential units and provide approximately two acres of open space preserve involving creek restoration, landscaping, and a walking path for the town. The General Plan requires energy conservation standards for new residential construction and requires targeted energy performance standards to advance the GHG reduction goals.[94] The proposed residential units would be built to meet the latest CALGreen Building Standard, which comprises of design standards for sustainable development and water conservation requirements to reduce water consumption by 20 percent. Additionally, the proposed project would include sidewalks surrounding the project site and walkways through the site, which would support reduction in VMT and improve the transportation network surrounding the project site. While the applicable General Plan policies listed previously are not

[94] Town of Windsor, 2018. Windsor 2040 General Plan, *Environmental Resources*, ER-5.10 *Energy Performance Standards*, 2-103.

used as the basis for this GHG emissions impact analysis, it is noted that the proposed project would not conflict with these GHG reduction policies as well.

General Plan Land Use Designation Consistency

As discussed in Section 3.1.3.3, *Land Use and Zoning*, the proposed project would include development of 24 dwelling units on a 5.1-acre site, which would equal on average of five dwelling units per acre. The project site has the land use designation of Very Low Density Residential (VLDR), which accommodates between three and six dwelling units per acre.[95] Therefore the proposed project would be consistent with the maximum allowable housing density of the General Plan's land use designation for the project site. Although the project site would require a zoning amendment to Planned Development (PD) to allow for a mix of residential and open space, the Planned Development (PD) zoning district would still be consistent with all land use classifications of the General Plan. Therefore, the GHG emissions associated with the proposed project would be consistent with the Town's qualified GHG reduction strategy and impacts to the environment would be *less than significant.*

b) Would the proposed project conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

In addition to the General Plan, the proposed project should be assessed for consistency with applicable plans adopted for the purpose of reducing GHG emissions, such as the CARB Scoping Plan and *Plan Bay Area* 2050. A consistency analysis with these plans is presented herein.

CARB's Scoping Plan

CARB's Climate Change Scoping Plan (Scoping Plan) outlines the State's strategies to reduce GHG emissions in accordance with the targets established under AB 32 and Senate Bill (SB) 32. The Scoping Plan is applicable to State agencies and is not directly applicable to cities/counties and individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts.

Statewide strategies to reduce GHG emissions in the 2017 Climate Change Scoping Plan include: implementing SB 350, which expands the RPS to 50 percent by 2030 and doubles energy efficiency savings; expanding the Low Carbon Fuel Standards (LCFS) to 18 percent by 2030; implementing the Mobile Source Strategy to deploy zero-electric vehicle buses and trucks; implementing the Sustainable Freight Action Plan; implementing the Short-Lived Climate Pollutant Reduction Strategy, which reduces methane and hydrofluorocarbons to 40 percent below 2013 levels by 2030 and black carbon emissions to 50 percent below 2013 levels by 2030; continuing to implement SB 375; creating a post-2020 Cap-and-Trade Program; and developing an Integrated Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

[95] Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.08, *Residential Zoning Districts*, Section 27.08.020, *Purposes of Residential Zoning Districts*.

Statewide strategies to reduce GHG emissions include the low carbon fuel standards, California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the CAFE standards, and other early action measures as necessary to ensure the State is on target to achieve the GHG emissions reduction goals of AB 32 and SB 32. In addition, new buildings are required to comply with the current Building Energy Efficiency Standards and CALGreen with adopted Tier 1 Standards. The proposed project's GHG emissions would be reduced from compliance with statewide measures that have been adopted since AB 32 and SB 32 were adopted. Therefore, impacts would be *less than significant*.

Plan Bay Area

Plan Bay Area 2050, the Bay Area's Regional Transportation Plan (RTP)/Sustainable Community Strategy (SCS) that identifies the sustainable vision for the Bay Area. To achieve MTC's/ABAG's sustainable vision for the Bay Area, the *Plan Bay Area 2050* land use concept plan for the region concentrates the majority of new population and employment growth in the region in Priority Development Areas (PDAs). PDAs are transit-oriented, infill development opportunity areas within existing communities. An overarching goal of the regional plan is to concentrate development in areas where there are existing services and infrastructure rather than allocate new growth to outlying areas where substantial transportation investments would be necessary to achieve the per capita passenger vehicle, vehicle miles traveled, and associated GHG emissions reductions. While the project site is not in a PDA, growth associated with the proposed project is consistent with ABAG projections and is well within the population projections considered in the General Plan EIR and adopted General Plan Housing Element (see Section XII, *Population and Housing*).[96] Furthermore, the proposed project is an infill development project that would result in an increase in land use intensity in a portion of the Town that has access to existing infrastructure and services, including transit service (see Section XV, *Transportation*). Therefore, the proposed project would not conflict with the land use concept plan for the Town identified in the *Plan Bay Area* 2050, and the impact would be *less than significant*.

[96] Metropolitan Transportation Commission, 2020. Priority Development Areas (*Plan Bay Area 2050*) map. https://opendata.mtc.ca.gov/datasets/priority-development-areas-plan-bay-area-2050/explore?location=37.899147%2C-122.289021%2C8.59.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	❒	❒	■	❒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	❒	❒	■	❒
c) Emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	❒	❒	■	❒
d) Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?	❒	❒	❒	■
e) For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people living or working in the project area?	❒	❒	■	❒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	❒	❒	■	❒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	❒	❒	■	❒

GENERAL PLAN EIR

Chapter 4.8, *Hazards and Hazardous Materials*, of the General Plan EIR, addressed the impacts related to hazardous materials use and transportation, the accidental release of hazardous materials, new development or re-development on contaminated sites, air traffic hazards, interference with emergency response and evacuation plans, and the risk of exposure to wildland fires associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The General Plan EIR found that compliance with applicable regulations and General Plan policies would minimize the risk of spills and the public's potential exposure to hazardous materials as well as the risk to schools and students of being within 0.25 miles to hazardous emissions or hazardous materials, resulting in a less-than-significant impact for each and requiring no mitigation. Additionally, the General Plan EIR concluded the General Plan, through compliance with regulations and policies, would result in a less-than-significant impact related to locating developments on contaminated sites, air traffic hazards, interference with emergency response and evacuation plans, and exposing people or structures to significant risks involving wildland fires.

EXISTING CONDITIONS

The term "hazardous material," as used in this Initial Study, includes all materials defined in the California Health and Safety Code Section 25501 definition of a hazardous material: "A material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment."

Hazardous Materials and Sites

A Phase I ESA, dated July 22, 2021, was prepared for the project site by REALM Civil Engineering, Surveying & Land Planning, which is included as Appendix F, *Phase I Environmental Site Assessment*, of this Initial Study.[97] The Phase I ESA was prepared to evaluate whether or not property uses have created any environmental or other nuisance conditions which would indicate a recognized environmental conditions (RECs), i.e., hazardous substances or petroleum products.

According to the Phase I ESA, the site was originally used for agriculture dating back to at least 1933. Historical photographs from 1942 through 1983 indicate that the property was planted with an orchard on a majority of the parcel; however, the orchards are gone by 1993 and the site was comprised of vacant land with scattered trees, shrubs and other low-lying vegetation, and seasonal grasses. The subject site has remained a vacant lot with no apparent active uses to the present day. While information regarding past agricultural uses at the orchard was not available, it is likely that industry-standard agricultural chemicals and fertilizers were applied to the orchard consistent with recommended practices. Application of pesticides in accordance with applicable laws and labeling requirements is generally considered an acceptable agricultural practice and does not constitute a REC. Pesticide accumulation in near-surface soils is not generally considered a soil contamination problem requiring cleanup, as long as their application is conducted in accordance with applicable laws and labeling requirements. As such, this historical property use is considered a *de minimis* condition, i.e., not a material risk of harm to public health or the environment and generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. The Phase I ESA did not identify any RECs on the site.

No evidence of hazardous substances and petroleum products used or stored at the site, aboveground and underground hazardous substance of petroleum product storage tanks (ASTs/USTs), releases, polychlorinated biphenyls (PCBs), strong pungent or noxious odors, pools of liquid, drains, sumps, and clarifiers, pits, ponds, and lagoons, stressed vegetation, nor additional potential environmental hazards were observed on the subject property during the site reconnaissance. The Phase I ESA included a search of hazardous material databases, including the Department of Toxic Substances Control EnviroStor Database, which is the data management system for tracking our cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known contamination or sites where there may be reasons to investigate further, and did not include any hazardous materials sites on the project site.

[97] REALM Civil Engineering, Surveying & Land Planning, 2021. *Phase I Environmental Site Assessment, 7842 Hembree Lane, Windsor, California 95492, Sonoma County APN 163-080-047.* July 22.

Sensitive Receptors

As described in Section 3.1.2, *Local Setting*, the nearest schools within or near the 0.25 miles (1,320 feet) limit of the project site include:

- Mother Earth's Children Preschool Sunflower approximately 305 feet (0.10 miles) to the north, and Morrison Family Child Care approximately 1,000 feet (0.19 miles) to the northwest.
- Mattie Washburn Elementary School approximately 1,600 feet (0.30 miles) to the northwest.

Airports

The airport nearest to the project site is the Charles M. Schultz Sonoma County Airport, approximately 2.5 miles to the south. The Airport Land Use Commission (ALUC) governs the Sonoma County Airport through the Comprehensive Airport Land Use Plan (CALUP). The CALUP is intended to protect and promote the safety and welfare of residents near the public use airports in the county, as well as airport users, while promoting the continued operation of the six airports covered by the plan. In accordance with State law, the County of Sonoma and the Town of Windsor amended their respective general plans and zoning ordinances to incorporate the compatibility criteria and compatibility zones established by the ALUC for Charles M. Schulz-Sonoma County Airport. Pursuant to Exhibit C4, *Safety Zones*, of the Sonoma County Airport CALUP, the project site is inside the Primary Referral Area Boundary, includes all areas within the six airport safety zones designated around each airport as well as other areas beneath commonly used flight tracks and traffic patterns or exposed to noise above the 55 Community Noise Level Equivalent (CNEL). As shown on Exhibit C4, the project site is outside of all of the designated safety zones.[98]

Wildfire

The California Department of Forestry and Fire Projection (CAL FIRE) has designated the project site as a Local Responsibility Area (LRA) and a non-very high fire hazard severity zone. The project site is approximately six miles northeast from the nearest very high fire hazard severity zone or land designated by CAL FIRE as a State Responsibility Area.[99] SRAs are areas of the state where the State of California is financially responsible for the prevention and suppression of wildfires and do not include lands within town boundaries or in federal ownership. According to the 2021 *Sonoma County Multijurisdictional Hazard Mitigation Plan*, the project site and the surrounding town of Windsor properties are in the area designated as "very low" relative hazard and "low" relative hazard for wildfire.[100]

According to CAL FIRE, the wildland-urban interface (WUI), which is an area of transition between wildland (unoccupied land) and land with human development (occupied land), is subdivided into the

[98] Sonoma County Airport Land Use Commission, 2016. Exhibit C4: Charles M. Schulz – Sonoma County Airport Safety Zones. https://permitsonoma.org/Microsites/Permit%20Sonoma/Documents/Pre-2022/Department%20Information/Cannabis%20Program/_Documents/County-Airport-Safety-Zones.pdf, accessed June 9, 2022

[99] California Department of Forestry and Fire Protection, FHSZ Viewer, https://egis.fire.ca.gov/FHSZ/, accessed January 8, 2023.

[100] *Sonoma County Multijurisdictional Hazard Mitigation Plan Update 2021, Volume 2 – Planning Partner Annexes,* October 2021.

"interface" zone (housing adjacent to wildland vegetation, but not mingled with it), the "intermix" zone (where houses and wildland vegetation directly mingle), and the "influence" zone (areas of wildfire-susceptible vegetation surrounding the other zones). The interface and intermix zones carry the highest risk for wildfires affecting developed areas. Unlike wildfire in wildland areas, fires in WUI areas are more likely to damage or destroy buildings and infrastructure that support populations, the economy, and key services in the town. According to CAL FIRE, the eastern half of the project site is in the WUI "influence" zone category. The nearest interface zone (highest risk) to the project site is approximately 700 feet to the southwest.[101]

Additionally, the project site is not in an area designated as a California Public Utilities Commission (CPUC) fire threat and is roughly 1.7 miles northwest of the nearest CPUC fire threat district.[102]

The Town of Windsor emergency services are provided by the Town's police department and the Sonoma County Fire District. Large-scale emergency responses are guided by the County of Sonoma Emergency Operations Plan.

DISCUSSION

a) Would the project create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

Construction Impacts

While construction activities at the project site would possibly involve the use of hazardous materials, such as petroleum-based fuels for maintenance and use of construction equipment, and coatings used in construction, these materials would be transported to the site periodically by vehicles and would be present temporarily during construction. These potentially hazardous materials would not be of a type, or occur in sufficient quantities on-site, to pose a significant hazard to public health and safety or the environment, and their use during construction would be short-term. Additionally, the use, transport, and disposal of construction-related hazardous materials would be required to conform to existing laws and regulations.

Operational Impacts

The proposed project would not involve the routine transport or disposal of hazardous materials. Project operation would involve the use of small amounts of hazardous materials for cleaning and maintenance purposes, such as cleansers, degreasers, pesticides, and fertilizers. These potentially hazardous materials would not be of a type or be present in sufficient quantities to pose a significant hazard to public health

[101] CAL FIRE, 2019, "Wildland Urban Interface". https://frap.fire.ca.gov/media/10300/wui_19_ada.pdfand https://www.arcgis.com/apps/mapviewer/index.html?url=https://services3.arcgis.com/i2dkYWmb4wHvYPda/ArcGIS/rest/services/cdf_wildland_urban_interface/FeatureServer/0&source=sd, last edit date December 2, 2022, accessed January 28, 2023.

[102] California Public Utilities Commission, CPUC High Fire Threat District. https://capuc.maps.arcgis.com/apps/webappviewer/index.html?id=5bdb921d747a46929d9f00dbdb6d0fa2, accessed January 9, 2023.

and safety or the environment. Furthermore, such substances would be used, transported, stored, and disposed of in accordance with applicable federal, State, and local laws, policies, and regulations.

Summary

In summary, the construction and operation of the proposed project would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials. Accordingly, the impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

As described in criterion (a), the construction and operation of the proposed project would involve the storage and use of common cleaning substances, building maintenance products, paints, and solvents, as well as petroleum-based fuels for maintenance and construction equipment, and coatings used in construction.

Construction Impacts

An impact could occur if construction of the proposed project creates conditions where hazardous materials could easily contaminate surrounding soil, water, or air. The most likely scenarios would be from hazardous materials, such as petroleum-based fuels for maintenance and use of construction equipment or from rainwater runoff spreading contaminated waste. Stormwater runoff is discussed in Section IX, *Hydrology and Water Quality*, of this Initial Study, and impacts were found to be less than significant during construction. The removal of these types of hazardous materials in the event of a spill or leak would be conducted by contractors licensed to remove and handle these materials and in accordance with existing federal, State, and local regulations, including United States Environmental Protection Agency's National Emission Standards for Hazardous Air Pollutants (Code of Federal Regulation Part 61), Bay Area Air Quality Management District's Regulation 11, Title 8 of the California Codes of Regulations, the Unified Program, and the General Plan's Public Health and Safety Element Policies PHS-5.1 through PHS-5.16, which would ensure that risks associated with the transport, storage, use, and disposal of such materials would be reduced to the maximum extent practical. All spills or leakage are required to be immediately contained, the hazardous material identified, and the material remediated in compliance with applicable State and local regulations. All contaminated waste would be required to be collected and disposed of at an appropriately licensed disposal or treatment facility.

Operational Impacts

An impact could occur if operation of the proposed project creates conditions where hazardous materials could easily contaminate surrounding soil, water, or air. The most likely scenarios would be from hazardous materials, such as petroleum-based fuels for maintenance of the proposed residential units or from rainwater runoff spreading contaminated waste. Stormwater runoff is discussed in Section IX,

Hydrology and Water Quality, of this Initial Study, and impacts were found to be less than significant during operation. As stated in criterion (a), residential uses typically do not use or store large quantities of hazardous materials other than those typically used for household cleaning, maintenance, and landscaping. Maintenance and operation of the project may use common cleaning products, fertilizers, and herbicides on-site, any of which could contain potentially hazardous chemicals; however, such products would be expected to be used in accordance with label instructions. Due to the regulations governing use of such products and the amount anticipated to be used on the site, routine use of such products would not represent a substantial risk to public health or the environment. Therefore, impacts related to creating a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials would be considered *less than significant*.

c) Would the project emit hazardous emissions or handle hazardous materials, substances or waste within 0.25 miles of an existing or proposed school?

As described Section II, *Air Quality*, under criterion (c), the schools within 0.25 miles of the project site are the Mother Earth's Children Preschool (approximately 305 feet or 0.10 miles to the north) and the Morrison Family Child Care (approximately 1,000 feet or 0.19 miles to the northwest). The Mattie Washburn Elementary School, approximately 1,600 feet (0.30 miles) to the northwest, is just outside of the 0.25-mile radius, and is therefore considered in this Initial Study to account for any margin of error in measuring. There are no known plans of a proposed school in this range. As discussed in criterion (a) and (b), the proposed project would not involve the storage, handling, or disposal of hazardous materials in sufficient quantities to pose a significant risk to the public. Thus, impacts related to hazardous emissions or hazardous material handling to schools or other sensitive receptors that are within 0.25 miles of the project site would be consistent with the conclusions in the General Plan EIR and remain *less than significant*.

Further, as discussed in Section II, *Air Quality*, criterion (c), the results of the site-specific construction HRA, which considered impacts to sensitive receptors (the residents along Cornell Street to the north) at a distanced as close as 25 feet from the project site would be mitigated to a less-than-significant impact with implementation of Mitigation Measure AQ-2. Accordingly, implementation of this mitigation measure would adequately address impacts as far away as 0.25 miles.

d) Would the project be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?

As stated previously in the existing conditions, the project site was not identified as being on a listed site pursuant to California Government Code Section 65952.5. The Phase I ESA found no RECs associated with the subject property or any of the adjoining parcels. Therefore, *no impact* would occur.

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

As described in the existing conditions, the project site is not in a safety hazard area of the associated CALUP for the Charles M. Schultz Sonoma County Airport. Further, the proposed project would not create a safety hazard due to the height of the proposed residential units at 29-feet tall, which is below the 35-foot height limit described in the Airspace Policies of the CALUP.[103] As such, the impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

During construction, vehicles, equipment, and materials would be staged and stored on a portion of the project site. The construction site and staging areas would be clearly marked, and construction fencing would be installed to prevent disturbance and safety hazards. No staging would occur in the public right-of-way. A combination of on- and off-site parking facilities for construction workers would be identified during grading and construction. Accordingly, the proposed project would not interfere with an adopted emergency response plan, or emergency evacuation plan during construction.

The introduction of proposed single-family residential units in a residential area would not introduce an incompatible land use which could increase any hazardous driving conditions to this area of Windsor leading to the physical interference of implementing an emergency evacuation plan or response plan. The proposed project would not include any unique elements that would result in substantial safety hazards in the event of an evacuation or other emergency.

Emergency vehicle access to the proposed single-family units would be provided via private driveways on Cornell Street, Country Meadow Lane, and Meadowlark Way via Billington Lane. Emergency vehicles would have access to the existing fire hydrants in the project area on Hembree Lane, Cornell Street, Country Meadow Lane, Sparrow Court, and Meadowlark Way. As discussed in Section XV, *Transportation*, emergency access would continue to be available the same as it is today via Hembree Lane, Cornell Street, Billington Lane, and Meadowlark Way. However, with the proposed project emergency vehicle access in the project vicinity would be improved from existing conditions. As discussed in Section 3.2.4, *Circulation and Access*, the proposed project includes three street extensions. These proposed extensions improve emergency vehicle access in the project vicinity by connecting Cornell Street to Billington Lane via Country Meadow Lane, making Cornell Street a through street by connecting the two existing sections together, and by constructing a hammerhead turn around on Meadowlark Way to better facilitate access to the existing dead end street. Accordingly, impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

[103] *Sonoma County Comprehensive Airport Land Use Plan*, https://permitsonoma.org/longrangeplans/adoptedlong-rangeplans/airportlanduseplan; https://permitsonoma.org/longrangeplans/adoptedlong-rangeplans/airportlanduseplan/chapter8/airspacepolicies; and https://permitsonoma.org/longrangeplans/adoptedlong-rangeplans/airportlanduseplan/chapter8/sonomacountyairport, accessed September 2022.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The project site is in a developed area in the town of Windsor and is adjacent to residential uses to the north, south and west, and parkland to the east. The project site is in a LRA and outside of a very high fire hazard severity zone. The proposed project would not obstruct emergency access and emergency vehicles would have access to the existing fire hydrants in the project area on Hembree Lane, Cornell Street, Country Meadow Lane, Sparrow Court, and Meadowlark Way. Emergency access would continue to be available the same as it is today via Hembree Lane, Cornell Street, Billington Lane, and Meadowlark Way but would be improved from existing conditions by connecting Cornell Street to Billington Lane via Country Meadow Lane, making Cornell Street a through street by completing the two existing sections together, and by constructing a hammerhead turn around on Meadowlark Way to better facilitate access to the existing dead end street. The proposed project would reduce the risk of exacerbating wildfire by removing vegetation on the site currently identified as a hazard by CAL FIRE, undergrounding utilities, and incorporating fire resistant landscaping, and would reduce the risk of wildfire damaging structures or occupants through mandatory compliance with the fire resistant building standards established by the CBC and CFC and subsequently adopted by the Town. Accordingly, impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

IX. HYDROLOGY AND WATER QUALITY

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	❒	❒	■	❒
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	❒	❒	■	❒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) Result in substantial erosion or siltation on- or off-site; ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) Impede or redirect flood flows?	❒	❒	■	❒
d. In a flood hazard, tsunami, or seiche zones, risk the release of pollutants due to project inundation?	❒	❒	❒	■

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	❒	❒	■	❒

GENERAL PLAN EIR

Chapter 4.9, *Hydrology and Water Quality,* of the General Plan EIR, addressed the impacts to biological resources associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The General Plan EIR concluded that compliance with applicable regulations and General Plan policies would minimize the potential for water quality degradation, erosion and siltation, increased runoff and flooding, exposure of people or structures to flooding, and adverse effects related to mudflow. Thus, the General Plan EIR found the General Plan would result in less-than-significant hydrology and water quality impacts and no mitigation is required.

EXISTING CONDITIONS

The project site lies within the Mark West Creek subwatershed, which is part of the larger Russian River Watershed. The nearest surface water body is Pool Creek, approximately 1,700 feet to the southeast of the project site. Topography at the project site is relatively flat with an approximate elevation range of 117 to 125 feet above mean sea level.

Under existing conditions, surface runoff from the majority of the site flows into a seasonal wetland swale near the center of the site, which is shown on Figure 4-1, *Habitat Map*, in Section III, *Biological Resources*. The seasonal wetland is disconnected from other surface waters and is not part of a mapped stream. There also is a seasonal wetland depression at the eastern end of the site, and four small, disconnected wetland areas in the western portion of the site. The wetland swale receives runoff from residential areas to the northeast and connects to a culvert at the southern end of the site. It appears to connect to Pool Creek on the east side of Highway 101. Pool Creek flows into Windsor Creek, which flows into Mark West Creek, which eventually discharges into the Russian River.

A total of 0.192 acres of seasonal wetland habitat is proposed to be filled as a result of the project development. The portion of the seasonal wetland swale and the seasonal wetland depression in the eastern end of the site will be preserved and the land will be dedicated to the Town of Windsor as an open space preserve and extension of Robbins Park. Project development would require a 404 permit from the Corps, a 401 Water Quality Certification from the North Coast RWQCB, a 1600 Lake or Streambed Alteration Agreement for the loss of 0.06 acres of riparian woodland habitat and 75 linear feet of seasonal drainage from the CDFW, and approval from the USFWS. Additional information is provided in Section III, *Biological Resources,* of this Initial Study.

The Windsor Water District is the water purveyor for the project site. The majority of water is supplied by the Town's Russian River Well Field, which diverts surface water from the Russian River under the SCWA's

diversion rights. The Town also purchases surface water from the SCWA from the Santa Rosa Aqueduct.[104] Windsor is underlain by the Santa Rosa Plain Subbasin of the Santa Rosa Valley Groundwater Basin. The Town has one active groundwater well, which pumps about 50 acre-feet per year and is used to irrigate Esposti Park. The groundwater well is not part of the Town's potable water supply. [105] There is one existing groundwater well on the project site that will be abandoned in accordance with Department of Water Resources Bulletin 74 and Sonoma County Well Abandonment requirements, as specified in WMC Article III of Chapter 25B.

The project site is not in a Federal Emergency Management Act (FEMA) designated 100-year floodplain or Special Flood Hazard Area.[106] The project site is also not within a dam inundation zone.[107] The town of Windsor is more than 25 miles from the Pacific Ocean and therefore not subject to the impacts of a tsunami.[108] There are no reservoirs or water storage tanks near the project site; thus, the project site would not be impacted by a seiche.

DISCUSSION

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Construction

Clearing, grading, excavation, and construction activities associated with the proposed project have the potential to impact water quality through soil erosion and increasing the amount of silt and debris carried in runoff. Additionally, the use of construction materials, such as fuels, solvents, and paints may present a risk to surface water quality. Finally, the refueling and parking of construction vehicles and other equipment on-site during construction may result in oil, grease, or related pollutant leaks and spills that may discharge into the storm drain system.

To minimize these potential impacts, development of the proposed project would require compliance with the Construction General Permit Water Quality Order 2022-0057-DWQ, because the project would disturb one or more acres of land during construction. This requires the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and the incorporation of BMPs to control sediment, erosion, and hazardous materials contamination of runoff during construction and prevent contaminants from reaching receiving water bodies. The State's CGP also requires that, prior to the start of construction activities, the project applicant file Permit Registration Documents with the SWRCB, which includes a Notice of Intent, risk assessment, site map, annual fee, signed certification statement, and SWPPP. The construction contractor is always required to maintain a copy of the SWPPP at the site and implement all

[104] Town of Windsor, 2021. *2020 Urban Water Management Plan.*

[105] Town of Windsor, 2021. *2020 Urban Water Management Plan.*

[106] Federal Emergency Management Act (FEMA). 2022. Flood Insurance Rate Map (FIRM) No. 06097C0566E, dated December 8, 2008.

[107] Town of Windsor, 2017. *Local Hazard Mitigation Plan, Public Review Draft*, dated February 2017.

[108] Association of Bay Area Governments, 2019. *Interactive Tsunami Inundation Map.* https://www.conservation.ca.gov/cgs/tsunami/maps, accessed June 9, 2022.

construction BMPs identified in the SWPPP during construction activities. Prior to the issuance of a grading permit, the project applicant is required to provide proof of filing of the Permit Registration Documents with the SWRCB, which include preparation of the SWPPP.

As described in Section III, *Biological Resources*, the proposed project would result in the loss of approximately 0.192 acres of seasonal wetlands.[109] These consist of an estimated 0.12 acre associated with the four scattered seasonal wetlands and 0.072 acres of regulated waters along the central drainage to accommodate roadway and outfall improvements. In addition, project construction would impact 0.06 acres of riparian woodland. Therefore, the project would require permit authorization from: 1) the CDFW for a Lake or Streambed Alteration Agreement, 2) the North Coast RWQCB for a 401 Water Quality Certification, 3) the Corps for a 404 Nationwide Permit, and 4) the USFWS for a Programmatic Biological Opinion Appendage Letter. The impacts are discussed in further detail in Section III, *Biological Resources,* Impacts (a) and (c).

Also, the project must comply with WMC Section 9-4-304, *Requirements for Construction Sites That Cause Land Disturbance of One Acre or More*. WMC Section 9-4-304 requires all projects that disturb more than one acre to prepare a SWPPP, Erosion and Sediment Control Plan, and obtain coverage under all applicable permits, including Clean Water Act Section 401 certification. The Erosion and Sediment Control Plan must be prepared and submitted to the Town for review prior to the start of grading activities. Implementation of the SWPPP and Erosion and Sediment Control Plan would address any potential erosion and sediment issues associated with the proposed grading and site preparation activities and would also minimize the potential for the discharge of stormwater pollutants from the site.

Submittal of the Permit Registration Documents and implementation of the SWPPP throughout the construction phase of development and compliance with the State and local regulatory requirements and ordinances would ensure that water quality impacts associated with construction activities would be *less than significant*.

Operation

Once the proposed project has been constructed, urban runoff could include a variety of contaminants that could impact water quality. Runoff from residential development can contain fertilizers, sediment, pesticides, oil and grease, trash and debris, and other pollutants. Precipitation at the beginning of the rainy season may result in an initial stormwater runoff (first flush) with high pollutant concentrations.

The Town is a co-permittee of the National Pollutant Discharge Elimination System (NPDES) Phase I Municipal Separate Storm Sewer System (MS4) permit (Order No. R1-2015-0030, NPDES no. CA0025044), issued in 2016 and administered by the North Coast RWQCB. According to the Phase I MS4 stormwater permit, the proposed project would be subject to post-construction BMPs since it would create more than 10,000 square feet of impervious surfaces. An initial Stormwater Low Impact Development (LID) Submittal has been prepared by Civil Design Consultants, Inc. (see Appendix I, *Hydrology and Water Quality Data,* of

[109] Wiemeyer Ecological Sciences, 2022. *Biological Assessment for Hembree Lane Oaks, 7842 Hembree Lane, Windsor, CA*. October 27.

this Initial Study) and a final Stormwater LID Submittal would be submitted to the Town prior to the start of construction. The initial Stormwater LID Submittal for the proposed project includes the following stormwater control measures:

- Runoff would be conveyed to bioretention areas in sidewalk planters along Cornell Street, Country Meadow Lane, and Meadowlark Way.
- Collected runoff from the bioretention areas and surface runoff would flow via curbs and gutters to the Town's existing storm drain beneath Cornell Street, Country Meadow Lane and Meadowlark Way.
- FloGard Catch Basin Insert filter devices will be installed at existing and proposed catch basins along Cornell Street to capture trash and other pollutants before entering the storm drain system.
- Landscaping would be designed with an efficient irrigation system to minimize runoff, promote surface infiltration where appropriate.

The proposed project would incorporate 25 bioretention beds with curb openings to treat and detain the runoff from the proposed impervious surfaces. Stormwater from ten drainage areas would be directed to roadside bioretention areas scattered throughout the site that provide soil and plant filtration measures to remove pollutants. The bioretention areas are also sized to capture and treat 100 percent of the volume of runoff generated one inch of rain over a 24-hour period, which is applicable for projects that increase or replace one acre or more of impervious surface according to the Town's Stormwater LID Technical Design Manual.[110] All site landscape areas would be self-treating with any runoff diverted to the existing Town's storm drain system via curb gutters and catch basins.

Operational water quality impacts would be less than significant with implementation and maintenance of the BMPs and bioretention areas described previously. The bioretention beds have the ability to remove pollutants through natural physical and biological treatment processes. Also, trash capture devices (FloGard Catch Basin Insert Filter Devices) will be installed at the proposed and existing catch basins along the north side of Cornell Street to ensure that areas not draining to a bioretention bed will have a treatment device prior to entering the Town's storm drain system.

The proposed project would comply with all State and local regulations regarding stormwater runoff during construction and operational phases of the proposed project. Therefore, water quality standards and waste discharge requirements will not be exceeded, and surface water and groundwater quality will not be degraded. For these reasons, the impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

[110] Civil Design Consultants, Inc., 2022. *Initial Stormwater Low Impact Development Submittal for 7842 Hembree Lane, Windsor, CA*. Dated April 2022.

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

The project site is within the service area of the Windsor Water District. The vast majority of the Town's water supply (approximately 99 percent) is sourced from diverted surface water (via the Russian River Well Field) and purchased surface water from SCWA.[111] Although the Town owns five groundwater wells, the wells are not suitable for potable water use due to naturally occurring concentrations of arsenic in the groundwater. One well is currently active and is used to supply approximately 50 acre-feet per year of raw irrigation water (non-potable) for Esposti Park. The proposed project would connect to the existing water main beneath Cornell Street, and extensions from the existing mains are planned for proposed residential units fronting Country Meadows Way and Meadowlark Way. Groundwater will not be used to supply the project and the existing well on the project site will be abandoned in accordance with Department of Water Resources and Sonoma County standards and regulations. Although the proposed project would increase the number of impervious surfaces, the site is not in a designated groundwater recharge area.

According to a subsurface exploration at the site conducted in 2022, groundwater was encountered in three of the ten borings at depths ranging from five to 12 feet below ground surface (bgs).[112] The geotechnical report states that site grading will consist of cuts and fills of three feet or less and therefore with slab-on-grade construction, it is unlikely that groundwater dewatering will be necessary. Based on their experience with nearby projects, they believe the shallow groundwater is likely a perched condition that will dissipate following seasonal rainfall. However, if construction dewatering is necessary, it would be conducted in accordance with the North Coast RWQCB's requirements and the SWRCB's Waste Discharge Requirements (WDRs) for Discharges to Land with a Low Threat to Water Quality (Order No. 2004-0003-DWQ). Limits on the quantity of groundwater discharge during dewatering and the temporary nature of the construction dewatering would assure that substantial lowering of the groundwater table would not occur. In addition, the proposed project would be subject to SWPPP requirements, which include measures for spill prevention, control, and containment that would prevent potential construction pollutants from leaching into the shallow groundwater.

In summary, the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Accordingly, the impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion, siltation, or flooding on- or off-site; (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; (iii) create or contribute runoff water which would exceed the capacity of

[111] Town of Windsor, 2021. *2020 Urban Water Management Plan*.

[112] PJC & Associates, Inc., 2022. *Geotechnical Investigation: Proposed Hembree Lane Subdivision, 7842 Hembree Lane Windsor, California*. May 23.

existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or (iv) impede or redirect flood flows?

Erosion and Siltation

The proposed project would involve site improvements that require grading, excavation, and soil exposure during construction, with the potential for erosion or siltation to occur. If not controlled, the transport of these materials to local waterways could temporarily increase suspended sediment concentrations and release pollutants attached to sediment particles. To minimize this impact, the project would be required to comply with the requirements in the State's Construction General Permit, including preparation of a Notice of Intent and SWPPP prior to the start of construction activities (see criterion (a)). The SWPPP would describe the BMPs to be implemented during the project's construction activities. The implementation of the BMPs during the construction phase would include the following measures to minimize erosion and siltation:

- Minimize disturbed areas of the site
- Implement dust control measures, such as silt fences and regular watering of open areas
- Stabilize construction entrances/exits
- Install storm drain inlet protection measures
- Install sediment control measures around the site, including silt fences and/or gravel bag barriers.

In addition, the Town requires preparation of an erosion and sediment control plan and implementation of BMPs to control erosion, debris, and construction-related pollutants. This would further reduce the potential for erosion and siltation during the construction phase.

For the operational phase, the North Coast RWQCB MS4 permit mandates the preparation of a Stormwater LID Submittal, which also contains stormwater treatment measures to minimize the potential for erosion and siltation to occur. Implementation of the proposed project would also require consultation with the Corps and CDFW for removal of 0.192 acres of delineated wetlands and 0.06 acre of riparian woodland habitat, respectively. Permits and certifications would be obtained prior to construction to ensure that the proposed project minimizes the potential for erosion and sediment discharge into the water bodies and complies with water quality standards.

Collectively, implementation of the BMPs outlined in the SWPPP, the erosion and sediment control plan, and the Stormwater LID Submittal would address the potential erosion and siltation impacts during the construction and operational phases of the proposed project. Therefore, the proposed project would not result in substantial erosion or siltation on- or off-site and the impact would be *less than significant*.

Surface Runoff and Capacity of the Storm Drain System

The project site does not contain any mapped streams or rivers.[113] Project development would involve the construction of an internal network of storm drains, catch basins, and 25 bioretention beds with curb

[113] Wiemeyer Ecological Sciences, 2022. *Biological Assessment for Hembree Lane Oaks, 7842 Hembree Lane, Windsor, CA*. October 27.

openings in ten drainage areas to temporarily retain, treat, and ultimately convey on-site flows (see Figure 4-6, *Stormwater Control Plan*). Runoff from these areas would be diverted to the Town's storm drain system beneath Cornell Street, Country Meadow Lane and Meadowlark Way. As described previously in criterion (a), the bioretention areas are sized to capture and treat 100 percent of the runoff volume for one inch of rainfall over a 24-hour period, according to the Town's *Stormwater LID Technical Design Manual*.[114] The bioretention beds allow runoff to infiltrate into the structural soil, reducing peak flows before entering the storm drain system.

The proposed LID treatment measures for the project site will provide post-construction mitigation and meet the requirements of both the Town's Stormwater LID Technical Design Manual and the hydromodification requirements in the North Coast RWQCB's Phase I MS4 permit. In addition, the storm drain system for the project would be designed in accordance with the Town's Design and Construction Standards[115] and SCWA's 2020 Flood Management Design Manual.[116]

The project site is not in an area prone to flooding, as determined by the Town's *Final Storm Drainage Master Plan* and is not in an area planned for future storm drain improvements.[117] If required by the Town, the project applicant would prepare a hydrology and hydraulics study to ensure that the capacity of the storm drain is not exceeded with implementation of this project. Compliance with these requirements would ensure that the project would not create runoff that would cause on-site or off-site flooding. With the project's proposed treatment features, this impact is *less than significant*.

Flood Flows

The proposed project area is within FEMA Flood Zone Designation X (Zone X). [118] Zone X is an area of minimal flood hazard, as depicted on Flood Insurance Rate Maps (FIRMs) as outside of the 100-year and the 500-year flood level. Additionally, the project site is not in a dam or tsunami inundation zone. The project site is not within a flood hazard area and implementation of the proposed project would not impede or redirect flood flows; therefore, *no impact* would occur.

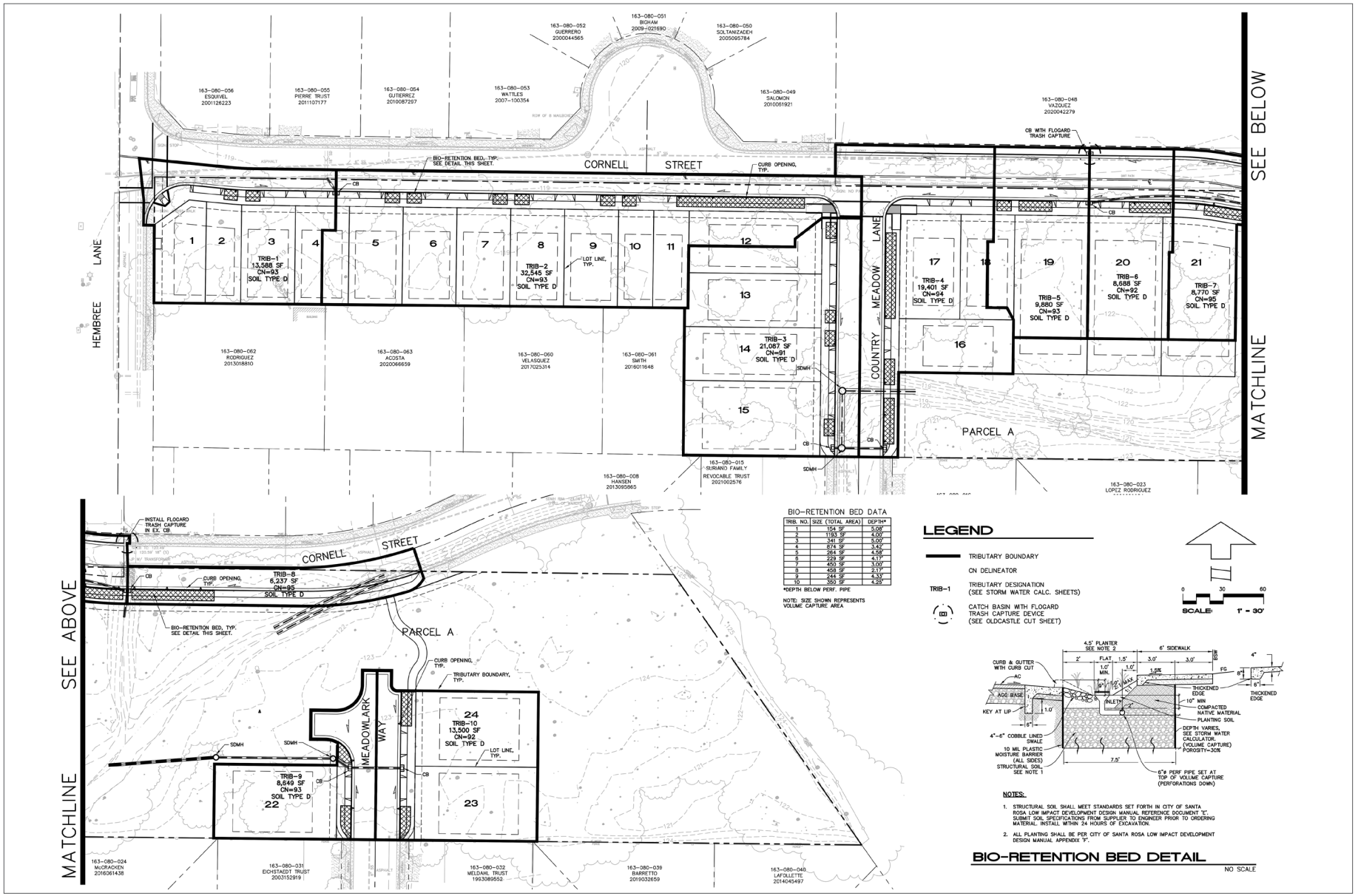
[114] Civil Design Consultants, Inc., 2022. *Initial Stormwater Low Impact Development Submittal for 7842 Hembree Lane, Windsor, CA*. Dated April 2022.

[115] Town of Windsor, 2011. Design and Construction Standards, Revised April 2015 and November 2020.

[116] Sonoma County Water Agency, 2020. Flood Management Design Manual.

[117] Town of Windsor, 2020. *Final Storm Drainage Master Plan.*

[118] Federal Emergency Management Act (FEMA). 2022. Flood Insurance Rate Map (FIRM) No. 06097C0566E, dated December 8, 2008.



Source: Civil Design Consultants, Inc., 2022.

Figure 4-6
Stormwater Control Plan

Summary

For the reasons describe previously, the proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion, siltation, or flooding on- or off-site; (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or (iv) impede or redirect flood flows. Accordingly, the impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

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

As discussed previously in criterion (c), the project site is not within a 100-year floodplain, as per FEMA FIRM No. 06097C0566E dated December 2, 2008. The project site is not near the San Francisco Bay or the Pacific Ocean and is not within a mapped tsunami inundation zone.[119] There are no large bodies of water in the vicinity of the project site; therefore, there would be no potential for seiches to impact the project site. Additionally, the project site is also not in a dam inundation zone.[120] Therefore, the proposed project would result in *no impact* related to the release of pollutants due to project site inundation from flooding, tsunami, and seiche. Accordingly, the impacts would remain consistent with the conclusions in the General Plan EIR.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The North Coast RWQCB monitors surface water quality and groundwater through implementation of the Water Quality Control Plan for the North Coast Region, also referred to as the "Basin Plan" and designates beneficial uses for surface water bodies and groundwater for ten counties encompassing all basins draining to the Pacific Ocean from the California-Oregon state line south to Marin and Sonoma Counties.

Adherence to the State Construction General Permit, implementation of the SWPPP, and adherence to the Town's erosion and sediment control requirements, as described in criterion (a), would ensure that water quality is not adversely impacted during construction. In addition, implementation of the BMP measures at the site, including bioretention areas, would ensure that water quality would not be impacted during the operational phase of the project. As a result, site development would not obstruct or conflict with the implementation of the North Coast RWQCB Basin Plan.

Water for the proposed project would be supplied by the Windsor Water District, which predominantly uses surface water sources (approximately 99 percent of supply). Therefore, project development would

[119] Association of Bay Area Governments, 2019. *Interactive Tsunami Inundation Map.* https://www.conservation.ca.gov/cgs/tsunami/maps, accessed June 9, 2022.

[120] Town of Windsor, 2017. *Local Hazard Mitigation Plan, Public Review Draft*, dated February 2017.

not obstruct the implementation of a sustainable groundwater management plan. Accordingly, the impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

X. LAND USE AND PLANNING

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Physically divide an established community?	❒	❒	■	❒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	❒	❒	■	❒

GENERAL PLAN EIR

Chapter 4.10, *Land Use and Planning*, of the General Plan EIR, addressed impacts to land use and planning associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. Impacts were determined to be less than significant, and no mitigation measures were required.

EXISTING CONDITIONS

The General Plan land use designation for the project site is Very Low Density Residential (VLDR) and the project site is within the Surrounding Residential (SR) zoning district. A complete description of the General Plan land use designation and zoning district is presented in Section 3.1.3.3, *Land Use and Zoning*, of this Initial Study.

DISCUSSION

a) Would the project physically divide an established community?

The project would not introduce any new major roadways or other physical features through existing residential neighborhoods or other communities that would create new barriers. The proposed project would increase connectivity in the area as described in Section 3.2.4.1, *Street Extensions*, which would extend Country Meadow Lane to connect Cornell Street to Billington Lane and connect the two existing sections of Cornell Street. Further the proposed project would improve pedestrian connectivity in the area by providing sidewalks on both sides of the extended portions of Country Meadow Lane and Meadowlark Way. Further the proposed project would provide sidewalks with curb ramps on both sides of Cornell Street along the project frontage, which would fulfill the pedestrian connection between Hembree Lane and Robbins Park identified in the *Town of Windsor Class I Trails Study.* The proposed project would not introduce any physical features through existing residential neighborhoods or other communities that

would create new barriers and would not physically divide an established community. Accordingly, the impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

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

The proposed project would be consistent with the types of development envisioned in the General Plan and would continue the existing development pattern of the surrounding community by constructing 24 new single-family residences. The General Plan land use designation for the project site is Very Low Density Residential (VLDR). This designation provides for a mix of housing types on traditional single-family lots. The Very Low Density Residential (VLDR) land use designation allows for a density of three to six dwelling units per acre.[121] Accordingly, the 5.1-acre site could accommodate between 15 and 30 dwelling units and the proposed 24 units is consistent with this standard. As described in Section 3.2.1, *Zoning Amendment*, the proposed project includes a request for an amendment to the existing Surrounding Residential (SR) district to Planned Development (PD) to preserve existing trees and reduce the setbacks. The Planned Development (PD) zoning district is consistent with all land use classifications of the General Plan.[122] The Planned Development (PD) zoning district is intended for sites where the Town desires to achieve a particular mix of uses, appearance, land use compatibility, or special sensitivity to natural resources, including oak trees and vernal pools. Accordingly, the proposed zoning amendment would support the preservation of natural resources, including oak trees, by allowing the project to cluster the proposed residential units on the site on three acres and preserve approximately 2.1 acres as described in Section 3.2.8, *Dedicated Open Space*. The approximately 2.1 acres includes the denser areas of valley oak woodland on site, including the mature specimen valley oak trees with trunk diameters greater than 24 inches in the eastern portion of the site.

As described throughout this Initial Study, the proposed project would be consistent with the findings in the General Plan EIR and would not result in any significant impacts. For example, the proposed project would not conflict with the Clean Air Plan (Section II, *Air Quality*), SRPCS (Section III, *Biological Resources*), climate action planning strategies (Section VII, *Greenhouse Gas Emissions*), CALUP (Section VIII, *Hazards and Hazardous Materials*), nor the Windsor Bicycle and Pedestrian Plan (Section XV*, Transportation*). Accordingly, the proposed project would result in *less-than-significant* impacts with regard to conflicts with a land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

[121] Town of Windsor 2040 General Plan, 2-6.

[122] Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.08, *Residential Zoning Districts*, Section 27.08.020, *Purposes of Residential Zoning Districts.*

XI. NOISE

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?	❒	■	❒	❒
b) Result in the generation of excessive groundborne vibration or groundborne noise levels?	❒	■	❒	❒
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	❒	❒	■	❒

GENERAL PLAN EIR

Chapter 4.11, *Noise*, of the General Plan EIR, addressed the impacts from noise and vibration associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The General Plan EIR concluded buildout would result in significant-but-mitigable impacts stemming from the temporary construction noise. Temporary construction impacts would be reduced through implementation of General Plan EIR Mitigation Measure N-1 and Mitigation Measure N-2, which would result in a less-than-significant impact.

General Plan EIR Mitigation Measure N-1 requires the following noise control measures to be included as standard conditions of approval for projects involving construction:

1. Properly muffle and maintain all construction equipment powered by internal combustion engines.
2. Prohibit unnecessary idling of combustion engines.
3. Locate all stationary noise-generating construction equipment such as air compressors as far as practical from existing nearby residences and other noise-sensitive land uses. Such equipment shall also be acoustically shielded.
4. Select quiet construction equipment, particularly air compressors, whenever possible. Fit motorized equipment with proper mufflers in good working order.
5. Residences adjacent to project sites shall be notified in advance by writing of the proposed construction schedule before construction activities commence.
6. The project applicant shall designate a “noise disturbance coordinator” responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of any noise complaint (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator shall be posted at the construction site.

General Plan EIR Mitigation Measure N-2 requires the following measures to minimize exposure to construction vibration shall be included as standard conditions of approval for applicable projects involving construction:

1. Avoid the use of vibratory rollers within 50 feet of fragile buildings, which are buildings that are susceptible to damage from vibration.
2. Schedule construction activities with the highest potential to produce vibration to hours with the least potential to affect nearby institutional, educational, and office uses that the Federal Transit Administration (FTA) identifies as sensitive to daytime vibration (FTA 2006).
3. Notify neighbors of scheduled construction activities that would generate vibration.

All other noise impacts were found to be less than significant.

EXISTING CONDITIONS

Regulatory Setting

Noise is defined as unwanted sound and is known to have several adverse effects on people, including hearing loss, speech and sleep interference, physiological responses, and annoyance. Based on these known adverse effects of noise, the federal government, State of California, and Town have established criteria to protect residences from excessive noise and prevent disruption of certain human activities. Noise terminology and fundamentals, pertinent existing local regulations, and construction noise modeling can be found in Appendix G, *Noise Data*, of this Initial Study.

The Chapter 27.20, *General Property Development and Use Standard*, of the Town's Zoning Ordinance sets maximum allowable exterior and interior noise levels at receiving land uses subject noise generated by activities on nearby properties in Section 27.20.030, *General Performance Standards,* Subsection F*, Noise*.[123] These allowable noise levels, shown in Table 4-1, *Maximum Allowable Exterior Noise Levels*, vary by land use and time of day.

TABLE 4-1 MAXIMUM ALLOWABLE EXTERIOR NOISE LEVELS

Type of Land Use	Time Interval	Allowable Exterior Noise, dBA
Single-family or Multifamily	10:00 p.m. to 7:00 a.m.	50
	7:00 a.m. to 10:00 p.m.	55
Commercial	10:00 p.m. to 7:00 a.m.	55
	7:00 a.m. to 10:00 p.m.	65

[123] Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.20, *General Property Development and Use Standard*, Section 27.20.030, *General Performance Standards,* Subsection F*, Noise.*

TABLE 4-1 MAXIMUM ALLOWABLE EXTERIOR NOISE LEVELS

Industrial or manufacturing		70
Public parks, public open space, and Civic Center	10:00 p.m. to 7:00 a.m.	50
	7:00 a.m. to 10:00 p.m.	55

Note: Each of the noise limits specified in this table shall be reduced by five dB(A) for impulse or simple tone noises, or for noise consisting of speech or music. If the ambient noise level exceeds the resulting standard, the ambient noise level shall be the standard.
It shall be unlawful for any person within a residentially zoned area of the Town to operate any noise amplified device (e.g., bull horns, microphones, musical instruments, speakers, etc.), that exceeds a noise level of 45 dB(A) measured at the property line or cause loud excessive noise which disturbs the peace of the neighborhood.
A residential air conditioning or refrigeration system, heating system, or associated equipment installed after the effective date the Zoning Ordinance shall comply with the exterior noise standards.
Source: Town of Windsor Zoning Ordinance, Title XVII, *Zoning*, Chapter 27.20, *General Property Development and Use Standard*, Table 3-1, *Maximum Noise Level By Receiving Land Use*.

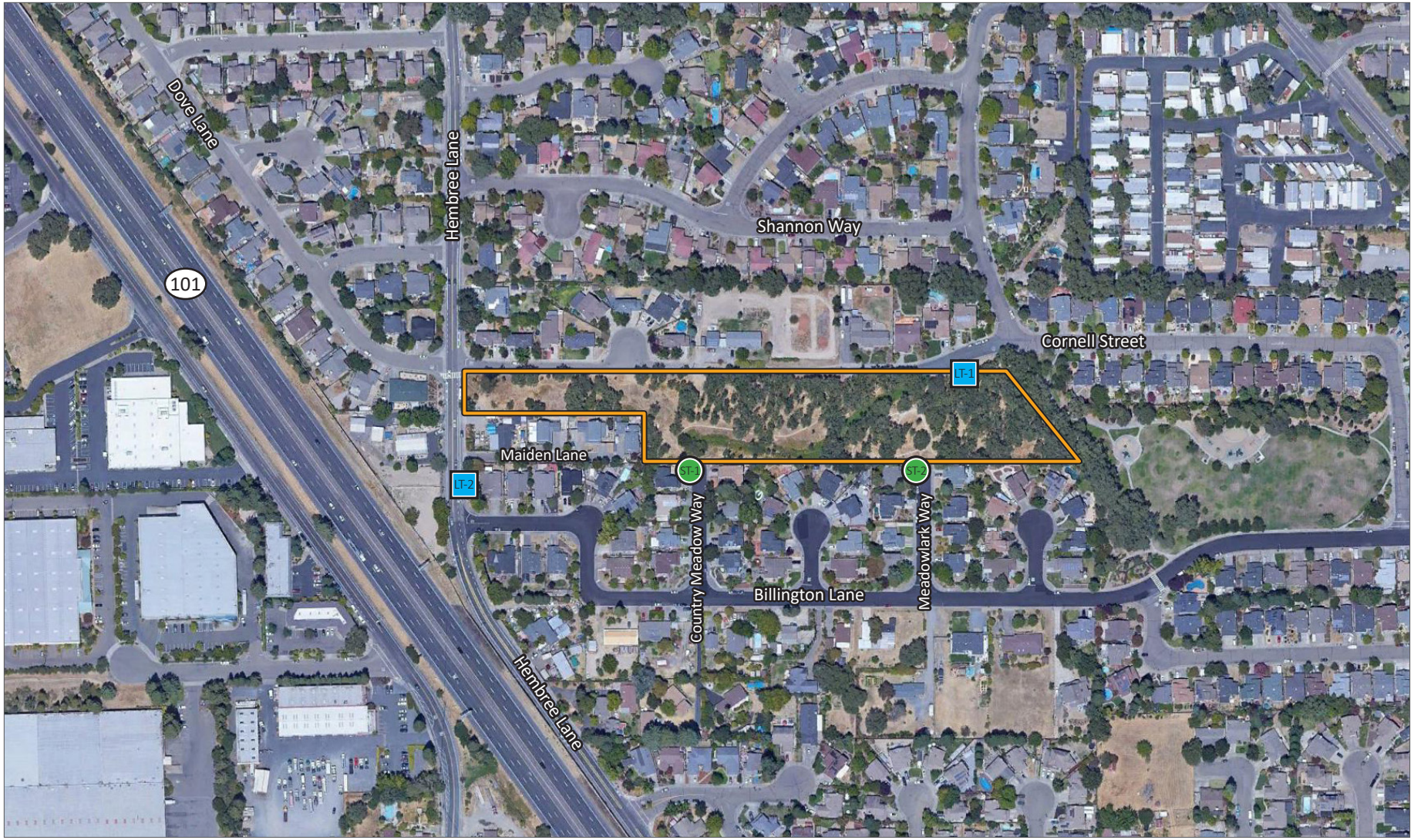
Baseline Noise Levels

To determine a baseline noise level at different environments within the project area, ambient noise monitoring was conducted in the vicinity of the project site April 25 through April 26, 2022. Noise measurements consisted of two long- term (24-hours) locations and two short-term (15-minute) locations.

The primary noise source at all measurement locations was vehicular traffic from residential streets and SR-101. Urban and residential activity such as dogs barking, aircraft overflights, and birds and crickets also contributed to the overall noise environment. Meteorological conditions during the measurement period were favorable for outdoor sound measurements and were noted to be representative of the typical conditions for the season. Generally, conditions included clear skies with temperatures varying between 76 to 82 degrees Fahrenheit (°F) and winds averaging three miles per hour (mph) or less. All sound level meters were equipped with a windscreen during measurements.

All sound level meters used for noise monitoring (Larson Davis LxT and Larson Davis 820) satisfy the American National Standards Institute standard for Type 1 instrumentation. All sound level meters were set to “slow” response and “A” weighting (dBA). The meters were calibrated prior to and after the monitoring period. All measurements were at least five feet above the ground and away from reflective surfaces.

Approximate noise measurement locations are described herein and shown in Figure 4-7, *Approximate Noise Monitoring Locations*, and results are summarized in Table 4-2, *Long-Term Noise Measurement Summary*, and Table 4-3, *Short-Term Noise Measurement Summary.*



Source: Google Earth, 2022. PlaceWorks.com, 2022.

0 600
Scale (Feet)

ST = Short-term Measurement Location

LT = Long-term Measurement Location

Approximate Site Boundary

Figure 4-7
Approximate Noise Monitoring Locations

TABLE 4-2 LONG-TERM NOISE MEASUREMENT SUMMARY

Monitoring Location	Description	24-Hour Noise Level, dBA		
		CNEL	Lowest Leq (1hr)	Highest Leq (1hr)
LT-1	Across 204 Cornell Street (residence) 04/25/2022, 2:00 p.m.	51	34.7	56.1
LT-2	Hembree Lane, next to 443 Billington Lane (residence) 04/25/2022 3:00 p.m.	70	53.2	69.4

Source: PlaceWorks, 2022.

TABLE 4-3 SHORT-TERM NOISE MEASUREMENT SUMMARY

Monitoring Location	Description	15-Minute Noise Level, dBA						
		L_{eq}	L_{max}	L_{min}	L50	L25	L8	L2
ST-1	Where Country Meadow Way dead ends, north of Billington Lane 04/25/2022 3:06 p.m.	55.7	75.2	44.5	49.4	51.1	54.4	63.3
ST-2	Where Meadowlark Way dead ends, north of Billington Lane 04/25/2022 3:47 p.m.	53.2	69.3	46.1	50.4	51.6	53.9	61.9

Source: PlaceWorks, 2022.

- Long-Term Location 1 (LT-1) was mounted across 204 Cornell Street (residence) and approximately 45 feet south from the nearest eastbound travel lane centerline. A 24-hour noise measurement began at 2:00 p.m. on Monday, April 25, 2022. The noise environment is characterized primarily by vehicular traffic along Cornell Street and Highway 101.
- Long-Term Location 2 (LT-2) was along Hembree Lane and mounted next to 443 Billington Lane (residence) and approximately 25 feet east from the nearest northbound travel lane centerline. A 24-hour noise measurement was conducted, beginning at 3:00 p.m. on Monday, April 25, 2022. The noise environment is characterized primarily by traffic along Hembree Lane and Highway 101.
- Short-Term Location 1 (ST-1) was where Country Meadow Way dead ends, north of Billington Lane. A 15-minute noise measurement began at 3:06 p.m. on Monday, April 25, 2022. The noise environment is characterized primarily by Highway 101 vehicular traffic. Secondary noise sources included dogs barking, crickets, and aircraft overflights.
- Short-Term Location 1 (ST-1) was where Meadowlark Way dead ends, north of Billington Lane. A 15-minute noise measurement began at 3:47 p.m. on Monday, April 25, 2022. The noise environment is characterized primarily by Highway 101 vehicular traffic. Secondary noise sources included dogs barking, crickets, and aircraft overflights. This Initial Study does not evaluate impacts of the existing noise environment on the proposed project pursuant to the Supreme Court decision regarding the assessment of the environment's impacts on projects (*California Building Industry Association (CBIA) v. Bay Area Air Quality Management District (BAAQMD)*, 62 Cal. 4th 369 (No. S 213478) issued December 17, 2015). Pursuant to this ruling, it is generally no longer within the purview of the CEQA

process to evaluate the impact of existing environmental conditions on any given project. As a result, while the noise from existing sources is taken into account as part of the baseline, the direct effects of existing outside (exterior) noise from nearby noise sources as it relates to land use compatibility of the project is no longer a required topic for impact evaluation under CEQA. No determination of significance is required or made in this Initial Study.

Sensitive Receptors

Certain land uses are particularly sensitive to noise and vibration. These uses include residences, schools, hospital facilities, houses of worship, and open space/recreation areas where quiet environments are necessary for the enjoyment, public health, and safety of the community. The nearest noise sensitive receptors to the project site are the adjacent residences to the east and south and the residences to the west across Hembree Lane and to the north across Cornell Street. As described in Section 3.1.2, *Local Setting*, other receptors in the vicinity (within 1,000 feet) include Mother Earth's Children Preschool Sunflower approximately 305 feet (0.10 miles) to the north and Morrison Family Chile Care approximately 1,000 feet (0.19 miles) to the northwest, the Residential Care Specialists assisted living facility approximately 820 feet (0.16 miles) to the north, and Robbins Park that shares a property line with the project site to the east.

DISCUSSION

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

Project-Related Construction Noise

There are two types of short-term noise impacts could occur during construction: (1) mobile-source noise from the transport of workers, material deliveries, and debris/soil hauling and (2) stationary-source noise from use of construction equipment. As described in Section 3.2.9, *Site Preparation and Construction*, all soil will be balanced on site, and therefore no haul truck trips to take soil to an off-site location would occur. Construction activities are anticipated to last approximately 24 months. The following discusses construction noise impacts to the off-site sensitive receptors.

Construction Vehicles

The transport of workers and materials to and from the construction site would incrementally increase noise levels along local roadways. Individual construction vehicle pass-bys may create momentary noise levels of up to approximately 85 dBA (L_{max}) at 50 feet from the vehicle, but these occurrences would generally be infrequent and short lived. Therefore, noise impacts from construction-related truck traffic would be *less than significant* at noise-sensitive receptors along the construction routes and no mitigation measures would be required.

Construction Equipment

Noise generated by on-site construction equipment is based on the type of equipment used, its location relative to sensitive receptors, and the timing and duration of noise-generating activities. Each stage of construction involves different kinds of equipment and has distinct noise characteristics. Noise levels from construction activities are typically dominated by the loudest several pieces of equipment. The dominant equipment noise source is typically the engine, although work-piece noise (such as dropping of materials) can also be noticeable.

The noise produced at each construction activity phase is determined by combining the contributions from each piece of equipment used at a given time, while accounting for the on-going time-variations of noise emissions (commonly referred to as the usage factor) to determine the L_{eq}-average noise levels. Heavy equipment, such as a bulldozer, can have maximum, short-duration noise levels of up to 85 dBA at 50 feet. However, overall noise emissions vary considerably, depending on what specific activity is being performed at any given moment. Noise attenuation due to distance, the number and type of equipment, and the load and power requirements to accomplish tasks at each construction phase would result in different noise levels from construction activities at a given receptor. Since noise from construction equipment is intermittent and diminishes at a rate of at least six dBA per doubling of distance (conservatively ignoring other attenuation effects from air absorption, ground effects, and/or shielding/scattering effects), the average noise levels at noise-sensitive receptors could vary considerably, because mobile construction equipment would move around the site with different loads and power requirements.

Noise levels from project-related construction activities were calculated from the simultaneous use of the top three loudest pieces of construction equipment per activity phase (e.g., demolition, building construction, paving) at spatially averaged distances (i.e., from the center of the activity phase's area of disturbance) to the property line of the nearest receptors. The area around the center of each construction activity best represents the average construction noise from multiple pieces of equipment at the various off-site sensitive receptors.

The expected construction equipment mix was based on CalEEMod (air quality modeling) construction defaults with data provided by the project applicant and categorized by construction activity. Noise levels were estimated using the Federal Highway Administration Roadway Construction Noise Model (RCNM). The associated, aggregate noise levels, grouped by construction activity, are summarized in Table 4-4, *Project-Related Construction Noise Levels*.

TABLE 4-4 PROJECT-RELATED CONSTRUCTION NOISE LEVELS

	Noise Level at the Nearest Receptors, dBA L_{eq}				
Construction Activity Phase	RCNM Reference at 50 feet	Residences within 50 feet north and south	Residences within 75 to west	Mother Earth's Children Preschool within 350 feet north	Robins Park within 600 feet east
Site Preparation	83	83	79	66	61
Rough Grading	85	85	81	68	63
Building Construction	83	83	79	66	61
Asphalt Paving	85	85	82	68	64
Architectural Coating	74	74	70	57	52
Maximum Noise Level		**85**	**82**	**68**	**64**
Exceed FTA threshold of 80 dBA L_{eq}?		**Yes**	**No**	**No**	**No**

Notes: RCNM = Roadway Construction Noise Model RCNM; Federal Transit Administration (FTA)
Source: Federal Highway Administration Roadway Construction Noise Model (RCNM)

As shown in Table 4-4, construction activities would temporarily increase ambient noise levels above the established FTA threshold of 80 dBA Leq at the nearest residential receptors to the north, south, and west. Therefore, construction noise would be considered a would be a significant impact warranting implementation of Mitigation Measure NOISE-1 to reduce impacts to a less-than-significant level. Mitigation Measure NOISE-1, which is consistent with General Plan Mitigation Measure N-1, would ensure that project-related construction noise impacts to the nearby residences would be reduced to a *less-than-significant* level.

Impact NOISE-1a: The proposed project could result in the generation of a substantial temporary increase in ambient noise levels at noise sensitive receptors in the vicinity of the project site during construction activities that would be in excess of the established Federal Transit Administration (FTA) threshold of 80 dBA Leq.

Mitigation Measure NOISE-1a: The following shall be incorporated in all activity phases and construction plans, pursuant to General Plan Policy 8.10, *Construction Site Nosie Restrictions*, and as required by Windsor Municipal Code Section 7-1-1018, *Construction Hours,* in Title VII, *Building and Housing*. Construction activities shall take place only during daytime hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 7:00 p.m. on Saturday. No construction, alteration or repair activities shall be permitted on Sunday unless expressly authorized by the Building Official; but in no event shall such construction activity be permitted on Sunday before 9:00 a.m. or after 5:00 p.m. In addition, the construction manager shall ensure that the following best management practices are implemented:

- At least 30 days prior to the start of any construction, demolition, or grading activities, all off-site residents within 350 feet of the project site shall be notified of the planned construction activities. The notification shall include a brief description of the project, the construction activities that would occur, the hours when activity would occur, and the construction period's

overall duration. The notification shall include the telephone numbers of the contractor's authorized representatives that are assigned to respond in the event of a noise complaint.

- Prior to start of construction, a temporary noise barrier/curtain between the construction zone and adjacent residences and along the entire project site boundary with no gaps or breaks with the exception for the project site entrance/access way shall be installed. The temporary sound barrier shall have a minimum height of 12 feet and be free of gaps and holes. The barrier can be either a 0.75-inch-thick plywood wall – OR – a hanging blanket/curtain with a surface density or at least two pounds per square foot. A temporary wall built to these minimum specifications and breaking the line of sight from construction activities to the sensitive receptors would provide at least a 10 dBA attenuation.
- The project applicant and contractors shall prepare and submit a Construction Noise Control Plan to the Town's Building Department and Code Enforcement for review and approval prior to issuance of any tree removal, grading, demolition, and/or building permits. The Construction Noise Control Plan shall demonstrate compliance with the Federal Transit Administration (FTA) 80 dBA L_{eq} limit. The details of the Construction Noise Control Plan, including those details listed herein, shall be included as part of the building/construction permit drawing set. Text identifying this requirement on the building/construction permit drawing sets shall be confirmed by the Town prior to approval of building/construction permit and shall be implemented by the on-site construction manager. The following are controls that for the Construction Noise Control Plan may include to comply with the 80 dBA L_{eq} limit:
  - At least ten days prior to the start of construction activities, post a sign at the entrance(s) to the job site, clearly visible to the public, which includes permitted construction days and hours, as well as the telephone numbers of the Town's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. If the authorized contractor's representative receives a complaint, they shall investigate, take appropriate corrective action, and report the action to the Town.
  - During the entire active construction period, utilize the best available noise control techniques (e.g., improved engine mufflers, equipment re-design, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) for equipment and trucks used for project construction.
  - Include noise control requirements such as performing work in a manner that minimizes noise and undertaking the noisiest activities during times of least disturbance to nearby sensitive receptors.
  - During the entire active construction period, locate stationary noise sources as far from sensitive receptors as possible, muffle stationary noise sources and enclose stationary noise sources within temporary sheds, or insulation barriers or other measures.
  - Post signs at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than five minutes.
  - During the entire active construction period use noise producing signals, including horns, whistles, alarms, and bells for safety warning purposes only. Use smart back-up alarms, which automatically adjust the alarm level based on the background noise level or switch off back-

up alarms and replace with human spotters in compliance with all safety requirements and law.

Project-Related Operational Noise

Stationary-Source Noise

The proposed project may generate noise from sources commonly associated with residential uses, such as people talking, car doors and garage doors closing and opening, or property maintenance. However, the proposed project site is bounded by existing residential uses generating these types of noise sources. Such noise sources are also intermittent and overall do not substantially increase noise levels above the existing ambient. Therefore, noise impacts from these noise sources associated with the proposed project would be *less than significant*.

Based on available site plans, heating, ventilation, and air conditioning (HVAC) systems will be installed on the ground and in the rear of the proposed residential units. The nearest sensitive receptor property line to potential HVAC equipment is approximately six feet. Typical residential HVAC equipment generates sound power (Lw) levels ranging from 60 to 75 dBA. When converting sound power (Lw) to sound pressure (Lp), noise levels at a distance of six would range between 47 to 62 dBA. Therefore, the noise level associated with HVAC in the backyards of the future residential units could exceed the Town's daytime exterior noise limit of 55 dBA and nighttime limit 50 dBA for residential uses (see Table 4-1). Therefore, this impact would be a significant impact warranting implementation of Mitigation Measure NOISE-1b to reduce impacts to a *less-than-significant* level. With implementation of General Plan Policy 8.1, *Ambient Sound Levels for New Developments,* which requires the Town to encourage new development to maintain the current ambient sound environment as much as possible and requires that all noise sources that cause the ambient sound levels to rise by more than five dBA should be required to incorporate conditions or design modifications to reduce the potential increase in the noise environment and Mitigation Measure NOISE-1b, project-related operational noise impacts would be *less than significant*.

Impact NOISE-1b: The heating, ventilation, and air conditioning units associated with the proposed project could result in the generation of a substantial permanent increase in excess of noise standards established in the Town of Windsor Zoning Ordinance (Title XVII, *Zoning*) at nearby sensitive receptors.

Mitigation Measure NOISE-1b: The project applicant shall select mechanical equipment that is designed to reduce impacts on surrounding uses to meet the Town of Windsor Zoning Ordinance (Title XVII, *Zoning*), Chapter 27.20, *General Property Development and Use Standard,* Section 27.20.030, *General Performance Standards,* Subsection F*, Noise*, noise limits of 55 dBA and 50 dBA at residential uses during daytime and nighttime, respectively. The project applicant shall retain a qualified acoustical consultant to review the selected mechanical noise systems selected to determine specific noise reduction measures necessary to comply with the Town's noise level requirements. Noise reduction measures could include, but are not limited to:

- Selection of equipment that emits low noise levels;

- Installation of noise dampening techniques, such wall and acoustical blanket enclosures to block the line-of-sight between the noise source and the nearest receptors; or
- Locating equipment at a distance to where noise levels would naturally attenuate to levels that comply with the Windsor Municipal Code. This distance shall be determined by a qualified acoustical consultant based on the sound power specifications of the heating, ventilation, and air conditioning equipment attained.

Mobile-Source Noise

A development project will normally have a significant effect on the environment related to noise if it will substantially increase the ambient noise levels at adjoining areas. Most people can detect changes in sound levels of approximately three dBA under normal, quiet conditions, and changes of one to three dBA are detectable under quiet, controlled conditions. Changes of less than one dBA are usually indiscernible. A change of five dBA is readily discernible to most people in an exterior environment. Based on this, the following thresholds of significance, similar to those recommended by the Federal Aviation Administration (FAA), are used to assess traffic noise impacts at sensitive receptor locations. A significant impact would occur if traffic noise increase would exceed:

- 1.5 dBA in ambient noise environments of 65 dBA CNEL and higher
- 3 dBA in ambient noise environments of 60 and less than 65 dBA CNEL
- 5 dBA in ambient noise environments of less than 60 dBA CNEL

As shown in Table 4-5, *Project-Related Traffic Noise Increase*, the proposed project would generate an increase of up to 0.1 dBA CNEL along Hembree Lane, north of Cornell Street, which would not exceed the 1.5 dBA CNEL threshold for an existing ambient of 65 dBA CNEL or higher. The cumulative increase would be greater than 1.5 dBA CNEL; however, the proposed project's contribution 0.1 dBA CNEL, a discernable increase. Therefore, traffic noise impacts along this segment would be *less than significant*.

The proposed project would generate an increase of up to 1.7 dBA CNEL along Cornell Street, east of Hembree Lane which would not exceed the five dBA CNEL threshold for an existing ambient less than 60 dBA CNEL. The cumulative increase is 2.8 dBA CNEL, which would also not exceed the five dBA CNEL allowance. Therefore, traffic noise impacts would be *less than significant*.

TABLE 4-5 PROJECT-RELATED TRAFFIC NOISE INCREASE

	ADT				Traffic Noise Increase, dBA CNEL			
Roadway Segment	Existing No Project	Existing Plus Project	Future No Project	Future Plus Project	Existing CNEL	Project Noise Increase	Cumulative Increase	Project Cumulative Contribution
Hembree Lane north of Cornell Street	5,380	5,538	7,834	7,993	70	0.1	1.7	0.1
Cornell Street east of Hembree Lane	340	498	495	653	51	1.7	2.8	1.2

Source: TJKM. 2022. *Request for ADT volumes for Hembree Lane Oaks Memo*, September 27. See Appendix H, *Transportation Data*, of this Initial Study.

b) Would the project expose people to or generate excessive groundborne vibration or ground borne noise levels?

Operational Vibration

Operation of the proposed project would not generate substantial levels of vibration because there are no known sources of vibrational energy associated with the proposed project, such as industrial machinery or railroad operations. Thus, vibration effects or impacts from operations sources would be *less than significant*.

Construction Vibration

Construction activities generate varying degrees of ground vibration, depending on the construction procedures, construction equipment used, and proximity to vibration-sensitive uses. The generation of vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight damage at the highest levels.

The Town does not have specific, vibration-related standards, but the General Plan EIR Mitigation Measure N-1 requires the application of the standards set forth in the FTA thresholds. Therefore, this analysis uses the FTA threshold of 0.2 inches/second (in/sec) peak particle velocity (PPV) to assess vibration impacts at non-engineered structures (e.g., wood-frame residential) which applies to the surrounding structures.[124] Building damage is typically not a concern for most projects, with the occasional exception of blasting and pile driving during construction. No blasting, pile driving, or hard rock ripping/crushing activities would be required during project construction. Table 4-6, *Vibration Levels for Typical Construction Equipment*, lists reference FTA vibration levels for different types of commonly used construction equipment at a distance of 25 feet and at the nearest surrounding structures (residential). As shown in Table 4-6, typical construction equipment can generate vibration levels ranging up to 0.21 in/sec PPV at 25 feet. Vibration levels at 25 feet or greater for vibratory rollers would attenuate to less than the 0.2 in/sec PPV. Since vibration-induced architectural damage could result from an instantaneous vibration event, distances are measured from the receptor facade to the nearest location of potential construction activities.

TABLE 4-6 VIBRATION LEVELS FOR TYPICAL CONSTRUCTION EQUIPMENT

Equipment	Approximate PPV Velocity at 25 Feet (in/sec)	Residence to South at 5 feet	Residence to north at 50 feet
Vibratory Roller	0.210	NA	0.074
Large Bulldozer	0.089	0.995	0.031
Loaded Trucks	0.076	NA	0.027
Jackhammer	0.035	NA	0.012
Small Bulldozer[1]	0.003	0.034	0.001

Notes: PPV = Peak Particle Velocity in inches per second. NA – Not Applicable
Source: Federal Transit Administration (FTA), *Transit Noise and Vibration Impact Assessment*, 2018.
[1] A Small bulldozer is generally categorized as having a horsepower rating under 100 hp and a weight capacity of 20,000 pounds or lower.

[124] Federal Transit Administration (FTA), *Transit Noise and Vibration Impact Assessment*, 2018.

The nearest structures to the proposed paving activities (residential driveways) are existing residential homes to the north across Cornell Street at a distance of 50 feet. However, other activities such as grading could occur within five feet of existing structures (residences, sheds, and garages) to the south. This would potentially exceed the 0.2 in/sec PPV thresholds. With implementation of Mitigation Measure NOISE-3 impacts would be *less than significant*.

Impact NOISE-2: The proposed project could result in the generation of excessive groundborne vibration at residential structures in the vicinity of the project during the construction activities that would be in excess of the established 0.2 inches per second (in/sec) Peak Particle Velocity (PPV) vibration threshold.

> Mitigation Measure NOISE-2: During the construction phase of the proposed project, all grading and earthwork activities within 15 feet of existing adjacent residential structures shall be conducted with off-road equipment that is limited to 100 horsepower or less. Text identifying this requirement and a map showing existing, adjacent residential structures within 15 feet of the construction zone on the building/construction permit drawing sets shall be confirmed by the Town prior to approval of building/construction permits and shall be implemented by the on-site construction manager.

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

The nearest airport is the Charles M. Schulz – Sonoma County Airport and is approximately 1.5 miles southwest from the project site. According to the ALUCP, Exhibit C4, the project site is outside of the airport's safety zone. However, the project site is within the designated Sphere of Influence Boundary, Detailed Land Use Study Area, and the Primary Referral Area. As such, under Section 8.73 and 8.74 of the ALUCP, all general plans, specific plans, area plans and zoning or building ordinances, or development codes which govern land uses in this area must be referred to the Airport Land Use Commission prior to approval by the local agency to determine consistency with the County Airport Land Use Plan's (CALUP) land use compatibility criteria and restrictions.[125] Other projects within the referral area may be voluntarily referred to the ALUC. In addition, according to the General Plan, Figure PHS-6, the project site is well outside the 55 dBA CNEL airport noise contour. Therefore, this impact would be *less than significant*.

[125] The project application was referred to the County of Sonoma Airport Land Use Commission (ALUC), which provided a written response to the Town indicating that the project site is outside of the airport safety zones and there are no concerns from the ALUC.

XII. POPULATION AND HOUSING

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Induce substantial unexpected population growth or growth for which inadequate planning has occurred, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	❒	❒	■	❒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	❒	❒	❒	■

GENERAL PLAN EIR

Chapter 4.12, *Population and Housing*, of the General Plan EIR, addressed the impacts to population growth and displacement associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet at a program level. The General Plan EIR determined General Plan policies would manage new development and limit growth in such a way to minimize environmental impacts, resulting in a less-than-significant impact requiring no mitigation. The General Plan EIR found that implementation of the General Plan would not displace substantial numbers of existing housing or people, resulting in a less-than-significant impact requiring no mitigation.

EXISTING CONDITIONS

The site is currently undeveloped and covered in a mix of vegetation, including mature trees. The current uses of the site do not generate any jobs and the site does not house any people.

DISCUSSION

a) Would the project induce substantial unexpected population growth or growth for which inadequate planning has occurred, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The proposed project would construct 24 single-family residential units, which would not result in any additional new population growth beyond what was accounted for in the General Plan EIR. The proposed project would directly contribute to housing through the construction of residential units. Based on an estimated average household size of 2.96 persons for the year 2025,[126] the proposed residential units would generate 71 new residents,[127] to the project site, which would increase the number of residents on

[126] This analysis is based on the Association of Bay Area Governments (ABAG) 2025 projections of the average household size of 2.96 persons for Windsor. *Plan Bay Area*, 2017. Projections 2040. http://projections.planbayarea.org/, accessed May 13, 2022.

the site from zero residents to approximately 71 residents at project buildout in 2024. It is anticipated that future residents and employees would be drawn largely from Windsor and other communities in Sonoma County and the overall San Francisco Bay Area. The 71 residents and temporary construction employees in combination with other future projects would not increase the overall Town buildout to the year 2040 projections. Therefore, the proposed project is well within the population projections considered in the General Plan EIR and the adopted General Plan Housing Element, which is currently being updated. The growth occurring as a result of the project would be limited to the project site, and the project does not include infrastructure to allow indirect off-site development. As discussed in Section X, *Land Use and Planning*, the project is consistent with the General Plan land use designation and permitted density allowed on the site. Accordingly, there would be *less-than-significant* impacts related to substantial unexpected population growth or growth for which inadequate planning has occurred. Impacts would remain consistent with the conclusions in the General Plan EIR.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The project site does not contain any existing residential units and the project would not displace any existing housing units or people. The proposed project would be a net benefit to housing stock in Windsor and the greater Bay Area. Therefore, the project would have *no impact* associated with the displacement of substantial numbers of housing. Impacts would remain consistent with the conclusions in the General Plan EIR.

XIII. PUBLIC SERVICES

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	❒	❒	■	❒
Police protection?	❒	❒	■	❒
Schools?	❒	❒	■	❒
Parks?	❒	❒	■	❒
Libraries?	❒	❒	■	❒

GENERAL PLAN EIR

Chapter 4.13, *Public Services*, of the General Plan EIR, addressed the impacts to police, fire protection, public schools, parks, and libraries, associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The EIR concluded implementation of the General Plan would increase demand for fire, police, and emergency medical services; however, compliance with General Plan policies would reduce impacts related to new fire, police, parks, and other service facilities to a less-than-significant level, requiring no mitigation. Similarly, the General Plan EIR determined that General Plan policies would reduce impacts related to construction of new school or library facilities, resulting in a less-than-significant impact and no mitigation required.

EXISTING CONDITIONS

The public service providers for the project site are as follows:

- The Windsor Fire Protection District (WFPD) and the Rincon Valley Fire Protection District work together under contract to share fire administration in the Windsor region.
- The Windsor Police Department is staffed by Sonoma County Sheriff's Office employees under a negotiated contract between the County and the Town of Windsor.
- The town is served by the Windsor Unified School District (WUSD) that oversees eight schools, including two charter schools. The nearest public school to the project site is Mattie Washburn Elementary, 0.4 miles northeast of the project site. Windsor High School is 1.25 miles northwest of the project site.
- The Windsor Regional Library (9291 Old Redwood Highway) is one of 13 branches within the Sonoma County Library system and provides education activities, reading, and writing programs for children and adults.

DISCUSSION

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

The primary purpose of the public services impact analysis is to examine the impacts associated with physical improvements to public service facilities required to maintain acceptable service ratios, response times or other performance objectives. Public service facilities need improvements (i.e., construction, renovation, or expansion) as demand for services increase. Increased demand is typically driven by increases in population. The proposed project would have a significant environmental impact if it would exceed the ability of public service providers to adequately serve residents, thereby requiring construction of new facilities or modification of existing facilities.

As discussed in Section XII, *Population and Housing*, the proposed project would result in a net increase of approximately 71 residents. Given the proposed project would represent less than 1 percent of the expected increase in population foreseen in General Plan and regional planning efforts,[128] and because the proposed project would not increase what was accounted for in the General Plan EIR, which found impacts to be less than significant under full buildout conditions, it would not exceed contribute to the need for new construction or expansion of an existing fire, police, park, or library facility that would serve the project site. Because impacts to public service providers were determined to be less than significant in the General Plan EIR and the proposed project is consistent with the General Plan land use designation and permitted density evaluated in the General Plan EIR, impacts to public services providers as a result of the proposed project would also be *less than significant*.

XIV. PARKS AND RECREATION

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	❒	❒	■	❒
b) Result in substantial adverse physical impacts associated with the provision of new or physically altered park and recreational facilities, or result in the need for new or physically altered park and recreational facilities, the construction of which could cause significant environmental impacts?	❒	❒	■	❒

GENERAL PLAN EIR

Chapter 4.17, *Effects Fount Not to be Significant*, of the General Plan EIR, addressed the impacts to parks and recreation associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The EIR concluded implementation of the General Plan could increase demand for parks and recreation such that new or physically altered facilities would be needed. However, in accordance with General Plan Policy PFS-9.12, all new development would be required to dedicate land and/or contribute in-lieu fees to meet the park requirements for all new residential subdivision in the Town and implementation of the *Parks and Recreation Master Plan*, which "identifies a planning blueprint to improve, protect, and expand the Town's network for parks, facilities and recreational services for the future," would ensure impacts would not be significant.

EXISTING CONDITIONS

The Town of Windsor Parks and Recreations Commission is responsible for the operation and maintenance of the Town's recreational facilities within the Town boundary. The Town of Windsor owns or

[128] 71 new residents divided by 11.067 General Plan EIR projected residents = 0.60 percent.

manages 110 acres of parks, trails, creek corridors, sports fields, and recreation facilities with an additional 35.8 acres.[129] In addition, the residents of Windsor have close access to three regional parks totaling 1,356 acres owned and operated by Sonoma County (Foothill Regional, Riverfront Regional, and Shiloh Ranch).[130] The General Plan park standard is five acres of parkland per 1,000-population.

The parks nearest to the project site are Robbins Park, adjacent to the project site on the east side. Pleasant Oak Park is also near the project site approximately 0.30 miles to the northeast adjacent to Mattie Washburn School.

DISCUSSION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?

As discussed in the existing conditions section, the residents of Windsor have close access to three regional parks totaling 1,356 acres owned and operated by Sonoma County (Foothill Regional, Riverfront Regional, and Shiloh Ranch), five community parks and 14 neighborhood parks totaling 110 acres.[131] As discussed in Chapter 3, *Project Description*, the proposed project includes the dedication of 2.1 acres of open space to expand open space to the east side of the project site, which would contribute to the Town's inventory of available park lands.

Pursuant to General Plan Policy PFS-9.12, *Parks Dedication*, all new development is required to dedicate land and/or contribute in-lieu fees to meet the park requirements for all new residential subdivisions in Windsor. The required adherence to this policy provides additional park and recreational space for new development, thereby not adding or accelerating substantial physical deterioration of existing parks or recreational facilities. The proposed project would result in 71 new residents. The Town's parkland-to-resident ratio is five acres of parkland for every 1,000 residents.[132] The proposed project would dedicate approximately 2.1 acres of parkland to the Town for the expansion of Robbins Park, which is more than enough to meet the project's contribution (0.355 acres)[133] to parkland in the Town. Further, in June 2017 the Town Council adopted the *Parks and Recreation Master Plan* which "identifies a planning blueprint to improve, protect, and expand the Town's network for parks, facilities and recreational services for the future, including sustainable goals for appropriate maintenance and funding for existing and future development." The *Parks and Recreation Master Plan* works to ensure that adequate parks, facilities, and recreation programs meet the needs of the Town's future residents, employees, and visitors. Accordingly, the impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

b) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered park and recreational facilities, or result in the need for new or physically altered

[129] Town of Windsor *2030 Parks and Recreation Master Plan Update* Chapter 4: Inventory
[130] Town of Windsor. 2018. Certified Windsor 2040 General Plan EIR, State Clearinghouse Number 2016112065. February.
[131] Town of Windsor. 2018. Certified Windsor 2040 General Plan EIR, State Clearinghouse Number 2016112065. February.
[132] Town of Windsor. 2018. Certified Windsor 2040 General Plan EIR, State Clearinghouse Number 2016112065. February.
[133] 71 residents x 0.005 (5 acres of parkland per 1,000 residents) = 0.355 acres

park and recreational facilities, the construction of which could cause significant environmental impacts?

As described in criterion (a), the proposed project would not result in the need for a new park or physically altered park but includes the dedication of approximately 2.1 acres of currently undeveloped land to the Town would be applied to the expansion of Robbins Park. As described in Section III, *Biological Resources*, the land dedication to the Town would serve as required habitat mitigation for the loss of trees, valley oak woodland habitat, and suitable habitat for special-status bat species at the site and would be required to be preserved in perpetuity. It is not known at what time or what the exact nature of any modifications to the land would be to become part of Robbins Park, so it cannot be determined what specific environmental impacts would occur as a result. However, given the nature of the site as sensitive habitat, it is assumed any improvements to the land would be low impact, such as formalizing the informal trails and tree maintenance to ensure user safety. The Town would be responsible for any environmental review in accordance with CEQA, if necessary, which would ensure that any environmental impacts are disclosed and mitigated to the extent possible for any future improvements to the land. Accordingly, the proposed project would not result in a substantial adverse physical impact associated with the provision of a new park and impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

XV. TRANSPORTATION

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	❒	❒	■	❒
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	❒	❒	■	❒
c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	❒	❒	■	❒
d) Result in inadequate emergency access?	❒	❒	■	❒

GENERAL PLAN EIR

While these standards regarding transportation impacts were adopted by the California Natural Resource Agency in December 2018 after the certification of the General Plan EIR, Chapter 4.18, *Transportation*, of the General Plan EIR, addressed the impacts to the transportation network in the Windsor area associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The EIR concluded that increased traffic generated by the General Plan could conflict with policies and thresholds for the performance of the circulation system and applicable

congestion management programs that are no longer applicable under current CEQA standards. The General Plan EIR found that implementation of General Plan EIR Mitigation Measure T-1 and Mitigation Measure T-2 would reduce the impacts to intersection congestion and lane queuing, respectively, to a less-than-significant level. Note that the roadways and intersections studied for the project site are included in these mitigation measures. Finally, the General Plan EIR determined the General Plan's impact on emergency access and policies, plans, or programs regarding design and compatibility, public transit, bicycle, or pedestrian facilities, would be *less than significant*.

EXISTING CONDITIONS

The following discussion is partly informed by the *Hembree Lane Oaks Subdivision Transportation Impact Study* (Transportation Impact Study) prepared by TJKM dated September 13, 2022, on behalf of the Town.[134] The Transportation Impact Study is included as Appendix H, *Transportation Data*, of this Initial Study.

Bicycle Facilities

Bicycle paths, lanes and routes are typical examples of bicycle transportation facilities, which are defined by the SCTA as being in one of the following three classes:

- Class I Bike Path. A completely separated right-of-way facility for the exclusive use of bicyclists and pedestrians with crossflow of vehicular traffic minimized.
- Class II Bike Lane. A striped lane designated for one-way bike traffic on a street of highway.
- Class III Bike Route. A route designated by signs or pavement markings and shared between bicyclists, pedestrians and motorists.

Within the project vicinity, Class II bicycle lanes run along both sides of Hembree Lane and Old Redwood Highway.

The *2014 Windsor Bicycle and Pedestrian Plan,* a component of the Sonoma County Transportation Authority's (SCTA's) 2014 *Countywide Bicycle and Pedestrian Master Plan* contains goals, policies, and specific recommendations to increase the bicycle access and walkability in the Town of Windsor. A Class III bike route along Shannon Way, Cornell Street, and Billington Lane, connecting Hembree Lane to the proposed Jensen Trail, on the east side of the town, is proposed under this plan.

The 2018 *Town of Windsor Class I Trails Study* proposes the Robbins Park Connector Trail, which would facilitate bicycle traffic between Hembree Lane with Robbins Park. Hembree Lane is to the west of the project site and Robbins Park is to the east. The Robbins Park Connector Trail proposed under the Trails Study runs through the project site.

[134] TJKM, 2022. *Hembree Lane Oaks Subdivision Transportation Impact Study.* September 13.

Pedestrian Facilities

Walkability is defined as the ability to travel easily and safely between various origins and destinations without having to rely on automobiles or other motorized travel. The ideal "walkable" community includes wide sidewalks, a mix of land uses such as residential, employment, and shopping opportunities, a limited number of conflict points with vehicle traffic, and easy access to transit facilities and services. Pedestrian facilities consist of crosswalks, sidewalks, pedestrian signals, and off-street paths, which provide safe and convenient routes for pedestrians to access the destinations such as institutions, businesses, public transportation, and recreation facilities.

In the project area, sidewalks are provided on both sides of Hembree Lane, north of Billington Lane, and on the east side of Hembree Lane, south of Billington Lane. Cornell Street provides sidewalks on the north side only, east of Hembree Lane, and on both sides west of Billington Lane. A continuous sidewalk exists on the north side of Billington Lane, while significant gaps are observed on the south side. Old Redwood Highway provides sidewalks on both sides; however, significant gaps are observed. The intersection of Hembree Lane and Cornell Street provides a ladder style crosswalk across the south leg of Hembree Lane and curb ramps at all four corners. The intersection of Old Redwood Highway and Billington Lane does not provide marked crosswalks; however, curb ramps exist at the northwest and southwest corners of the intersection. Billington Lane also provides a mid-block crosswalk east of the project site.

As described previously, the 2018 *Town of Windsor Class I Trails Study* proposes the Robbins Park Connector Trail, which would connect Hembree Lane with Robbins Park. This connector trail would also facilitate pedestrian access in the area. The Robbins Park Connector Trail proposed under the Trails Study runs through the project site.

Transit Facilities

SCT provides local transit service in Windsor via SCT local bus route 66, the Windsor Shuttle. The Shuttle operates on weekdays between the hours of 7:15 a.m. and 5:08 p.m. on weekdays and 9:35 a.m. and 3:27 p.m. on Saturday. The route terminus is the Windsor Depot (Windsor Road and Windsor River Road) in the Town Green area. The route serves the Shiloh Center (Walmart) Raley's Shopping and north and South Windsor. The Windsor Shuttle is free for all riders under Sonoma County Transit's "Fare-Free" program. The Town of Windsor subsidizes the Windsor Shuttle's "Fare-Free" program. In addition to local service, Sonoma County Transit's Route 60 provides intercity service that connects Windsor with Healdsburg and Cloverdale to the north, and downtown Santa Rosa to the south. In downtown Santa Rosa (Third Street Transit Mall), transfers to other Sonoma County Transit Routes, local Santa Rosa City Bus services and regional services provided by Golden Gate Transit can be made. Route 60 operates on a daily schedule. Fares on Route 60 are zone-based and vary between $1.50 to $3.00 for adults, $1.25 to $2.75 youth and $0.75 to $1.50 for seniors. Sonoma County Paratransit provides paratransit services, in accordance with the Americans with Disabilities Act, during the same hours and days as Sonoma County Transit's fixed-route service. In Windsor, local and intercity paratransit services are provided.

The nearest bus stop is at the southeast corner of the Hembree Lane and Cornell Street intersection, within the project site, and is served by SCT local bus route 66. Additionally, a bus stop exists south of the

Old Redwood Highway and Billington Lane intersection, approximately 0.7 miles east of the project site, and is served by SCT local bus route 66.

Vehicles Miles Traveled

Because the site is undeveloped, it does not generate any annual vehicle miles trips.

DISCUSSION

a) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Roadway Facilities

Operational Traffic

CEQA Guidelines Section 15064.3, which took effect on July 1, 2020, contains new requirements for evaluating a project's transportation impacts. As of July 1, 2020, impacts on auto delay or level of service are no longer be considered a significant impact under CEQA for land use projects.

The SCTA Travel Demand Model (SCTA Model) was obtained and the project's Travel Analysis Zone (TAZ) was identified as TAZ #866. The proposed project would include 24 single-family units. Therefore, pursuant to the SCTA VMT Screening Map, dated February 2022, the project site is in a low-VMT residential zone. Thus, the project is screened out from VMT analysis due to its location and small size (24 units). Accordingly, impacts would be *less than significant.*

Construction Traffic

The approximately 24-month (two-year) construction period is assumed to begin in October 2023 and end in October 2025, subject to regulatory approval. During this period, the project would result in changes to existing transportation conditions. New traffic would be generated by construction employees and construction activities, including haul trucks. Construction traffic is temporary. During construction, vehicle, equipment, and materials would be staged and stored on a portion of the project site. The construction site and staging areas would be clearly marked, and construction fencing would be installed to prevent disturbance and safety hazards. No staging would occur in the public right-of-way. Therefore, no hazards for vehicle, pedestrians, and/or cyclists in the area would occur during this phase. Accordingly, the construction impacts would be *less than significant*.

Bicycle Facilities

An impact on bicycle access occurs if the proposed project disrupts existing bicycle facilities; or conflicts or creates inconsistencies with adopted bicycle system plans, guidelines, and policies. While the proposed project does not include any specific improvements to bicycle facilities, it would improve bicycle circulation in the area through the inclusion of the proposed street extensions described in Section

3.2.4.1, *Street Extensions*. The proposed extension of Country Meadow Lane to Cornell Street and Billington Lane and the connection of the two parts of Cornell Street would facilitate additional routes by bicyclists in the area. Further, as described under Pedestrian Facilities, the proposed project is consistent with the recommendations needed for the proposed Robbins Park Connector Trail. Accordingly, the impacts would be *less than significant*.

Pedestrian Facilities

The project proposes to provide a continuous sidewalk along the south side of Cornell Street, including the portion to be extended to the east. Additionally, the project will provide sidewalks on both sides of the extended portions of Country Meadow Lane and Meadowlark Way, which will conform to the existing sidewalks on both roadways. All proposed sidewalks would be standard six-feet-wide and ADA-compliant.

As described in the existing conditions section, the 2018 *Town of Windsor Class I Trails Study* proposes the Robbins Park Connector Trail, which would connect Hembree Lane with Robbins Park. While the proposed project has the potential to conflict with the proposed Robbins Park Connector Trail because it runs through the project site, the project proposes to provide sidewalks with curb ramps on both sides of Cornell Street along the project frontage. The proposed sidewalks would fulfill the pedestrian connection between Hembree Lane and Robbins Park identified in the *Town of Windsor Class I Trails Study*. Accordingly, the impacts would be *less than significant*.

Transit Facilities

The nearest bus stop is at the southeast quadrant of the Hembree Lane and Cornell Street intersection. The addition of 71 new residents when compared to existing conditions would not generate a demand for transit that would exceed the capacity of the system. The new residents of the proposed project are anticipated to come from Windsor and surrounding Sonoma County communities and would not introduce new riders to the SCT operated bus services that serve Windsor. Further, as described in Section 3.2.4.4, *Transit Passenger Shelter*, the proposed project would construct a passenger waiting shelter for the existing bus stop at the corner of Hembree Lane and Cornell Street. The passenger waiting shelter would be designed to meet the SCT's shelter specifications. The shelter would include an eight foot by six foot concrete pad and would provide access to electrical for shelter lighting. The proposed project would also designate a no-parking zone for the length of the project frontage along Hembree Lane for the existing bus stop. Impacts to transit would be *less than significant.*

Summary

In summary, the proposed project would not result in a VMT impact and would not displace, modify, or interfere with any sidewalk, bicycle lanes, or sidewalks. The proposed project would improve bicycle and pedestrian facilities and connectivity in the neighborhood for drivers, bicyclists, and pedestrians. In addition, the project would not generate a demand for transit that would exceed the capacity of the system. Therefore, the project would not conflict with adopted policies, plans, or programs regarding pedestrian, bicycle, or pedestrian facilities. Accordingly, impacts would be *less than significant*.

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

As discussed in criterion (a), pursuant to the SCTA VMT Screening Map, dated February 2022, the project site is in a low-VMT residential zone and is therefore screened out from VMT analysis due to its location and small size (24 units). Accordingly, the proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b) and impacts would be *less than significant*.

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

As described in Section VIII, *Hazards and Hazardous Materials*, the introduction of single-family residential units in a residential area would not introduce an incompatible land use which could increase any hazardous driving conditions to this area of Windsor. As discussed in Section 3.2.4.1, *Street Extensions,* the proposed project includes three street extensions: 1) connect Cornell Street to Billington Lane by extending Country Meadow Lane; 2) complete the missing link to Cornell Street and make this a through street; and 3) construct a hammerhead turn around on Meadowlark Way to better facilitate access to the existing street, which is currently a dead end. As discussed in Section 3.2.4.3, *Pedestrian and Bicycle Access,* the project proposes to improve pedestrian conditions by providing a continuous sidewalk along the south side of Cornell Street, including the portion to be extended to the east, sidewalks on both sides of the extended portions of Country Meadow Lane and Meadowlark Way. These project features will improve the safety of pedestrians in the project vicinity. The proposed driveway access points on Cornell Street, Country Meadow Lane, and Meadowlark Way would not pose a hazard to the existing Class II bike lanes on both sides of Hembree Lane. Accordingly, the proposed project would not modify any design features to a public road or introduce a potentially unsafe feature that would increase hazards. Therefore, impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

d) Would the project result in inadequate emergency access?

As discussed in criterion (c), emergency access to the project site would be provided via private driveways on Cornell Street, Country Meadow Lane, and Meadowlark Way via Billington Lane. Emergency vehicles would have access to the existing fire hydrants in the project area on Hembree Lane, Cornell Street, Country Meadow Lane, Sparrow Court, and Meadowlark Way. As discussed in Section 3.2.4.2, *Vehicle Access*, emergency access would continue to be available the same as it is today via Hembree Lane, Cornell Street, Billington Lane, and Meadowlark Way. However, with the proposed project, emergency vehicle access in the project vicinity would be improved from existing conditions by the additions of the three street extensions described in criterion (c). These proposed extensions improve emergency vehicle access in the project vicinity by connecting Cornell Street to Billington Lane via Country Meadow Lane, making Cornell Street a through street by completing the two existing sections together, and by constructing a hammerhead turn around on Meadowlark Way to better facilitate access to the existing street, which is currently a dead end street. All proposed roadway improvements would be required to meet the standards in the WMC. Accordingly, impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

XVI. TRIBAL CULTURAL RESOURCES

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is: i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resource Code Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance to a California Native American tribe.	❒	■	❒	❒

GENERAL PLAN EIR

Chapter 4.5, *Cultural Resources*, of the General Plan EIR, addressed the impacts to TCRs associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The EIR concluded that impacts to the significance of TCRs would be less than significant through adherence to General Plan policies, requiring no mitigation. However, the General Plan EIR recommends implementation of General Plan EIR Mitigation Measure CR-1, Mitigation Measure CR-2, Mitigation Measure CR-3, and Mitigation Measure CR-4, in Chapter 4.5 of the General Plan EIR, to reduce impacts even further. As described in Section IV, *Cultural Resources*, of this Initial Study, General Plan EIR Mitigation Measure CR-1, requires the Town to add a program to the General Plan clarifying when an archaeological study and monitor is required; General Plan EIR Mitigation Measure CR-2 requires the Town to consult with applicable tribe(s) to determine appropriate measures for addressing the TCRs when there is a potential for a TCRs to be encountered or revealed; General Plan EIR Mitigation Measure CR-3 requires paleontological resource studies in certain circumstances; and General Plan EIR Mitigation Measure CR-4 requires the Town to comply with mandatory State law to protect human remains.

EXISTING CONDITIONS

The Native American Historic Resource Protection Act, formally known as Assembly Bill 52 (AB 52), was passed in 2014 and initiated compliance on July 1, 2015. AB 52 amended CEQA to address California Native American tribal concerns regarding how cultural resources of importance to tribes are treated under CEQA and created the new TCR category. CEQA identifies a TCR as a separate and distinct category of resource, separate from a historical resource or archaeological resource. CEQA specifies that a project that may cause a substantial adverse change in the significance of a TCR [as defined in CEQA Statute or PRC Section 21074(a)] is a project that may have a significant effect on the environment. To help determine whether a project may have such an effect, the PRC requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of the proposed project. According to AB 52, tribes may have expertise in tribal history and "tribal knowledge about land and TCRs at issue should be included in environmental assessments for projects that may have a significant impact on those resources." CEQA Section 21074.3(a) defines a TCR as a site, feature, place, cultural landscape that is geographically defined in terms of size and scope, sacred place, and object with cultural value to a California Native American tribe that is either included or eligible for inclusion in the California Register of Historic Resources or included a local register of historical resources, or if the Town, acting as the lead agency, supported by substantial evidence, chooses at its discretion to treat the resource as a TCR. PRC Section 21074 defines a TCR as any of the following:

A. Sites, features, places, cultural landscapes, sacred places, or objects with cultural value to a California Native American tribe that are either (A) included or determined to be eligible for inclusion in the CRHR, or (B) included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; or,

B. A resource that the lead agency determines, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1- taking into account the significance of the resource to a California Native American tribe.

PRC Section 21080.3.2 provides that as part of the tribal consultation process, parties could propose mitigation measures. If the California Native American tribe requests consultation to include project alternatives, mitigation measures, or significant effects, the consultation would be required to cover those topics. PRC Section 21082.3 provides that any mitigation measures agreed upon during this consultation "shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring program" if determined to avoid or lessen a significant impact on TCRs.

The Town received a request to be notified about projects in the town of Windsor from the Native American Tribes of the Federated Indians of Graton Rancheria and the Lytton Rancheria of California, as the town is within the geographic area with which they are traditionally and culturally affiliated. The Town has initiated consultation by sending notices to the Tribes in September 2022. However, as of the publication of this Initial Study, neither Tribe requested consultation with the Town.

A sacred lands file search conducted by the NAHC for the project site returned positive results; however, it does not indicate that the sacred land is on the project site. Additionally, the NAHC identified 14 local Native American representatives from the following 11 tribes as potentially having local knowledge:

- Cloverdale Rancheria of Pomo Indians
- Dry Creek Rancheria of Pomo Indians
- Federated Indians of Graton Rancheria
- Guidiville Indian Rancheria
- Kashia Band of Pomo Indians of the Stewarts Point Rancheria
- Lytton Rancheria
- Middletown Rancheria of Pomo Indians
- Middletown Rancheria
- Mishewal-Wappo Tribe of Alexander Valley
- Pinoleville Pomo Nation
- Robinson Rancheria of Pomo Indians

All 14 tribal representatives were notified about the proposed project on May 22, 2022, and were asked for information about potential resources at or near the project site. Kashia Band of Pomo Indians of the Stewarts Point Rancheria responded that the project site is not within their territory and had no comments or concerns at the time but reserve the right to comment at a later date. Lytton Rancheria responded that they had no information about the project site but requested to review the cultural resources study prepared for the project site by Evans & De Shazo. The cultural resources study was provided to the Lytton Rancheria representative on June 7, 2022. As previously discussed in Section IV, *Cultural Resources*, of this Initial Study, Evans & De Shazo also conducted field survey of the project site with the assistance of a Cultural Resources Specialist from the Federated Indians of Graton Rancheria on April 5, 2022. According to the Federated Indians of Graton Rancheria Cultural Resources Specialist, the project site may contain a potential TCR. However, as stated previously, the Federated Indians of Graton Rancheria did not request consultation with the Town pursuant to PRC Section 21080.3.1. Evans & De Shazo also provided the Federated Indians of Graton Rancheria representatives with the cultural resources study report on June 7, 2022, at the tribe's request. No responses were received from the other tribes.

DISCUSSION

a) *Would the proposed project cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:*

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or

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

Pursuant to the cultural resources study prepared for the proposed project no cultural resources meeting the definition of a historical resource or unique archaeological resource were identified within the project

area. However, an item was identified within the project area that may have cultural value to one or more California Native American tribes and be considered a potential TCR in accordance with PRC Section 21074. Accordingly, construction of the project would be a significant impact warranting implementation of Mitigation Measure TCR-1 to reduce impacts to a known potential TCR to a *less-than-significant* level.

As discussed under criterion (b) of Section IV, *Cultural Resources*, implementation of Mitigation Measure CULT-1 would reduce impacts to buried (unknown) archaeological resources, including unknown TCRs and human remains, including those of Native Americans, to a less-than-significant level. Therefore, implementation of Mitigation Measure TRC-1 would ensure impacts to unknown TCRs would reduce impacts a *less-than-significant* level.

Impact TCR-1: The proposed project could cause a substantial adverse impact to an unknown tribal cultural resource.

Mitigation Measure TCR-1: Implement Mitigation Measure CULT-1.

XVII. UTILITIES AND SERVICE SYSTEMS

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	❒	❒	■	❒
b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	❒	❒	■	❒
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	❒	❒	■	❒
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	❒	❒	■	❒
e) Comply with federal, state, and local statutes and regulations related to solid waste?	❒	❒	■	❒

GENERAL PLAN EIR

Chapter 4.15, *Utilities and Service Systems,* of the General Plan EIR, addressed the impacts to water supply, wastewater, and solid waste associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level. The General Plan EIR

determined, through adherence to General Plan policies, implementation would result in a less-than-significant impact on water supplies and wastewater collection and treatment services as well as stormwater drainage facilities and services requiring no mitigation. Similarly, the General Plan EIR found that potential future buildout would increase demand for solid waste sent to area landfills, General Plan policies to increase recycling and adequate capacity at landfills would result in a less-than-significant impact, requiring no mitigation.

EXISTING CONDITIONS

The Windsor Water District owns and operates the Town's potable water system. The Town's potable water supply is provided primarily from collector wells in the Russian River Well Field and a connection to the SCWA's aqueduct from which the Town purchases wholesale water. Additionally, the Town pumps approximately 50 acre-feet per year (afy) of raw groundwater from one of the Town's groundwater wells for park irrigation. The groundwater is obtained from the Santa Rosa Plain Subbasin of the Santa Rosa Valley Groundwater Basin.

The Windsor Water District is responsible for the treatment, storage and disposal of the Town's wastewater. Wastewater from the project site and the Town of Windsor is treated at the Windsor Wastewater Treatment, Reclamation, and Disposal Facility which operates under Order No. R1-2020-0010 (NPDES Permit No. CA0023345), which was amended by Order R1-2021-0042 in December 2021. The Town recycles almost two-thirds of its tertiary treated wastewater, with almost half of that amount used for energy production at the Geysers steamfields. The remaining effluent flow is discharged to Mark West Creek. A portion of the treated effluent is chlorinated and piped to Windsor High School for toilet flushing and landscape irrigation. The facility has a permitted average daily dry weather flow of 1.9 million gallons per day (MGD). However, the permitted flow may be increase up to 2.25 MGD if the Windsor Water District demonstrates that additional water recycling capacity has been added. Sonoma County Resource Recovery provides collection, transport, processing, and disposal of garbage, recyclable materials, and organic waste for the town.[135] The Sonoma County Waste Management Agency provides hazardous waste collection and disposal.

Windsor's wastewater collection system is maintained by the Town's Public Works Department. The Town published a *Draft Collection System Master Plan* in 2020 to address current deficiencies to accommodate for buildout of the General Plan.[136]

Electricity and natural gas service in the town of Windsor is provided by Pacific Gas & Electric (PG&E). Telecommunication services, including internet, telephone, and cable are provided by AT&T, Comcast, Frontier Communications, HughesNet, Dish Satellite, Sonic, and Viasat.

[135] Town of Windsor, Solid Waste Services, https://www.townofwindsor.com/481/Garbage, accessed on May 15, 2022.
[136] Town of Windsor, 2020, *Draft Collection System Master Plan*, July.

DISCUSSION

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?

The proposed project would require installation of utility improvements to serve the new residences. All utility infrastructure improvements (specifically water, sewer, electrical, natural gas, and telecommunications) would be developed within the project site during each phase of construction. Additionally, new construction would comply with the latest CALGreen Building Standards Code, which would result in reductions in water and wastewater generation and power and natural gas consumption. Following is a discussion of the project's potential impacts on water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.

Water Supply Facilities

The Windsor Water District has approximately 137 miles of distribution mains and over five million gallons of water stored in 16 water storage tanks.[137] The Russian River Well Field has been in operation since 1984 and contains five collection wells which intercept underflow from the Russian River. Each of the five collection wells has the capacity to produce approximately 1,300 gallons per minute (gpm). The Town also purchases surface water from the SCWA, which is delivered through SCWA's 36-inch diameter Santa Rosa Aqueduct. The purchased surface water is distributed through a 12-inch diameter water transmission main and connects to the Town's water system near the Sonoma County Airport.[138]

As part of the proposed project, the existing eight-inch water main along Cornell Street would be extended farther to the east and connect to existing infrastructure. A new eight-inch main would branch from the Cornell Street main and extend south along Country Meadow Lane. Additionally, the existing eight-inch water main along Meadowlark Way would be extended to the north. The proposed project would connect to the Town's existing water supply either through connections to the existing eight-inch water main along Cornell Street or to the planned extensions of the water mains along Cornell Street, Country Meadow Lane or Meadowlark Way.

As previously stated, buildout of the proposed project was accounted for in the General Plan with up to 30 units. In addition, the proposed project is included in the future population projections provided in the 2020 UWMP. The 2020 UWMP also states that there are sufficient water supplies under normal year conditions or during single-dry year and multiple-dry years with the proposed and existing water conservation regulations and measures in place through 2030. However, the UWMP estimates a water deficit in 2035 and 2040 for a single dry year and in 2040 in the fifth and sixth year of a multi-year drought. Under these scenarios, the Town would implement water conservation measures outlined in their *Water Shortage Contingency Plan* to reduce both potable and non-potable water usage to meet projected demand in those years.

[137] Town of Windsor, 2019. *Water Master Plan*, 2019 Update.
[138] Town of Windsor, 2021. *2020 Urban Water Management Plan*.

The proposed water system improvements would be designed and constructed in accordance with Town Design and Construction Standards and would require Town approval. In addition, the project is required to implement the provisions of WMC Title XII, *Windsor Water District*, including Article 8, *Conservation of Water Supply*, and Article 9, *Water Efficient Landscaping*, to reduce water consumption impacts. And by incorporating the provisions of WMC Title VII, *Building and Housing,* in Article 12, *California Green Building Code – Title 24, Part 11*. The proposed project would be designed to include green building practices/features pursuant to CALGreen that would help reduce water usage and demand, including drought-tolerant landscaping with automatic irrigation systems and high-efficiency plumbing fixtures.

Therefore, implementation of the project would not require any new water treatment facilities or improvements other than those currently under construction. Impacts would be *less than significant*.

Wastewater Treatment Facilities

The Town owns, operates, and maintains a wastewater collection system that serves the project site and surrounding area. As part of the proposed project, the existing six-inch sewer pipeline along Cornell Street and Meadowlark Way would be extended along the planned streets to serve the new residences. Wastewater from the project site would ultimately be discharged to the Windsor Wastewater Treatment Reclamation and Disposal Facility (WWTF). The WWTF consists of the tertiary treatment wastewater plant that produces recycled water, effluent storage ponds, and a discharge point to Mark West Creek. From May 15 through September 30, all the treated wastewater is recycled and provides irrigation of rural pasture, crops, vineyards, and landscaping for the Town's parks, commercial facilities, and residential properties. During the period from October 1 to May 14, a portion of the tertiary treated wastewater that is not recycled may be discharged to Mark West Creek. The WWTF is permitted for 1.9 MGD for an average daily dry weather flow and has a design capacity of 2.25 MGD average dry weather flow and 7.2 MGD peak weekly wet weather flow. An estimated 1,643 acre-feet (or 1.47 MDG) of wastewater was collected by the WWTF in calendar year 2020.[139] Therefore, the WWTF had a residual permitted capacity of approximately 430,000 gpd in 2020 (i.e., 1.9 MGD – 1.47 MGD = 0.43 MGD).

The proposed project would create approximately 3,907 gallons of wastewater per day, conservatively assuming wastewater generation is equal to 100 percent of indoor water demand. The project wastewater generation rate is about 0.9 percent of the residual capacity of the treatment plant. Therefore, the WWTF has sufficient capacity to treat project-generated wastewater and the design or permitted capacity of the WWTF that serves the project site would not be exceeded. In addition, the proposed development was included in the General Plan EIR's assessment of the Town's projected wastewater treatment demand through the General Plan buildout year of 2040. Therefore, development of the proposed project would not require any improvements that were not already considered and the impact of the proposed project on wastewater facilities would be *less than significant.*

[139] Town of Windsor, 2021. *2020 Urban Water Management Plan*.

Stormwater Drainage

Impacts related to storm drainage facilities are addressed in Section IX, *Hydrology and Water Quality,* under criterion (c). As discussed in Section IX, the proposed project would involve the construction of an internal network of storm drains, catch basins, and 25 bioretention beds with curb openings in ten drainage areas to temporarily retain, treat, and ultimately convey stormwater flows. The proposed Stormwater LID Submittal (see Appendix J, *Hydrology and Water Quality Data,* of this Initial Study) describes how the selected BMPs would detain and treat peak runoff that would be discharged to the existing Town storm drains beneath Cornell Street, Country Meadow Lane, and Meadowlark Way. With the implementation of the LID features, the amount of stormwater discharged to the Town's storm drain system would not result in a significant impact.

The proposed project would not require the expansion of existing stormwater facilities or the construction of new facilities, the construction of which could otherwise have significant impacts. Therefore, impacts would be *less than significant*.

Other Utility Facilities

Other utility facilities that serve the project site include electric power, natural gas, and telecommunications facilities. PG&E currently provides the natural gas and electricity infrastructure. Sonoma Clean Power (SCP) utilizes PG&E's infrastructure to provide electricity to the Town. AT&T and other providers would provide telephone service. Cable television service would be available from various providers, including Comcast.

The proposed project is a residential project in an area of the Town that is served by existing infrastructure and services. The project site is currently considered for up to 30 residential units in the General Plan EIR. The proposed project would include connections to the existing PG&E and telecommunication systems and would not require new off-site facilities and distribution infrastructure or capacity enhancing alterations to any existing facilities. Furthermore, the proposed project would be required to comply with energy efficiency standards set forth by Title 24 of the California Administrative Code and the Appliance Efficiency Regulations. The proposed project would also comply with CALGreen requirements related to energy and water conservation. These measures will decrease electricity and gas consumption.

Therefore, the proposed project would not result in a substantial increase in natural gas and electrical service demands. PG&E and telecommunication companies would not need to expand their supply and transmission facilities to handle the demand generated by the proposed project, and impacts would be *less than significant*.

Summary

As described previously, the proposed project would not require the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects.

Accordingly, the impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

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

As described in the General Plan EIR in Chapter 4.15, the water supply for the town of Windsor at the project buildout year of 2025 would be 6,087 acre-feet per year (afy) and at the General Plan buildout year of 2040 would be 6,427 afy. [140] Projected demand is calculated to be 4,611 afy and 4,809 afy for each of these years, respectively. [141] The town at full General Plan buildout would result in sufficient water supplies under normal year conditions or during single-dry year and multiple-dry years through 2030, with the proposed and existing water conservation regulations and measures. And although the UWMP estimates a water deficit in 2035 and 2040 for a single dry year and in 2040 in the 5th and 6th year of a multi-year drought, the Town would implement water conservation measures outlined in their *Water Shortage Contingency Plan* to reduce both potable and non-potable water usage to meet projected demand in those years. Lastly, the water supply evaluation prepared for the General Plan EIR included development of the project site with up to 30 residential units; therefore, water supply impacts were adequately addressed in the General Plan EIR.

Pursuant to the 2020 UWMP, Windsor has enough water supply capacity to meet current demands and a future annual growth rate of 1.5 percent was accounted for in Windsor's future water demand projections. From 2025 to 2040, the UWMP predicts that there will be adequate supply to meet water demand in a normal year. Projected water demand in a normal year for the town of Windsor in 2040 is 8,628 afy and the water supply is predicted to be 8,745 afy.[142] The Town's potable water supply is anticipated to increase by 2030 because two new off-river wells would be able to supply the Town with additional potable water.

The 24 single-family residences are estimated to add 71 residents to the project site. The 2020 UWMP assumes a population increase of 5,157 people between 2020 and 2025 so the additional 71 residents for this project would be less than 1.5 percent of this increase. The projected water demand for the project is estimated to be 4,139 gallons per day (gpd) or 4.6 afy, assuming an indoor residential per capita water use rate of 55 gpd (which is the efficiency standard required by Department of Water Resources through 2025) and the estimated outdoor water usage from the preliminary landscaping plan. This is less than 0.3 percent of the town's surplus water supply at the project buildout year of 2025.

The project is consistent with the General Plan land use designation, and water demand associated with buildout of the project site has been incorporated into the Town's regional planning efforts, including the General Plan EIR and 2020 UWMP. Additionally, new residential development would be required to meet General Plan Policy PFS-2.9, *Water Efficient Landscaping,* the WMC Title XII, *Windsor Water District*,

[140] One *acre-foot* equals about 326,000 gallons, or enough water to cover an *acre* of land, about the size of a football field, one *foot* deep.

[141] Town of Windsor. 2018. Certified Windsor 2040 General Plan EIR, State Clearinghouse Number 2016112065. February.

[142] Town of Windsor, 2021. *2020 Urban Water Management Plan.*

including Article 8, *Conservation of Water Supply*, and Article 9, *Water Efficient Landscaping*, for water efficient landscaping and WMC Title VII, *Building and Housing,* Article 12, *California Green Building Code – Title 24, Part 11,* which incorporates CALGreen's measures for high-efficiency plumbing and drought-tolerant landscaping, which would further reduce water usage.

Therefore, there would be sufficient water available to serve the Proposed Project and reasonably foreseeable future development during normal, dry, and multiple-dry years with implementation of the Town's *Water Shortage Contingency Plan* and impacts would be *less than significant* and remain consistent with the conclusions in the General Plan EIR.

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

Sewer service is provided to the Town of Windsor by the Windsor Water District. The Town's WWTF has a permitted capacity of 1.9 MGD for dry weather flows. As described in the General Plan EIR, the anticipated population growth under the General Plan would require the expansion of wastewater facilities.

In 2020, the Town drafted their Draft *Collection System Master Plan* (CSMP) which evaluated the sewer system capacity at future buildout of the General Plan and recommended system improvement projects.[143] As such, planned improvement would adequately serve the future development that is assumed under the General Plan and the General Plan EIR concluded that impacts related to the wastewater treatment provider's capacity would be *less than significant*.

The proposed project would create approximately 3,907 gallons of wastewater per day, conservatively assuming wastewater generation is equal to 100 percent of indoor water demand. The project wastewater generation rate is about 0.9 percent of the residual permitted capacity of the treatment plant. Therefore, the WWTF has sufficient capacity to treat the project-generated wastewater.

The proposed project is consistent with the current General Plan land use designation, and the increased wastewater generation associated with buildout of the site have been anticipated by the Town and analyzed in the General Plan EIR and CSMP. In addition, the project would be subject to payment of infrastructure impact fees pursuant to Policy PFS-3.11, *Cost of New Infrastructure*, which would ensure that funds are available to provide for future expansion of the Town's wastewater and water reclamation systems. Thus, there would be adequate capacity to serve the wastewater demand for the proposed project in addition to the existing commitments and impacts to the wastewater treatment system with implementation of this project would be *less than significant* and remain consistent with the conclusions in the General Plan EIR.

143 Town of Windsor. *Draft Collection System Master Plan*. July 2020.

d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

The Town, through its franchise hauler, provides solid waste, recycling, and composting services for residential, commercial, and industrial areas, with weekly curbside pickup. Solid waste disposal service within the town is provided by Sonoma County Resource Recovery and Sonoma County Waste Management Agency, which transport waste to the Central Disposal Site landfill, at 500 Mecham Road, in Petaluma, California. As of February 2020, the landfill had approximately 9,181,519 cubic yards (CY) of remaining capacity, with a permitted daily capacity of 2,500 tons per day and a maximum total permitted capacity of 32,650,000 CY (i.e., approximately 72 percent filled as of February 2020).[144] In 2020, Sonoma County Waste Management Agency reported an average tonnage disposal of 1,604 tons per day (313,664 tons reported for 2020, divided by 350 disposal day per year).[145] Therefore, the residual daily disposal capacity is approximately 896 tons per day (i.e., 2,500 tons per day minus 1,604 tons per day reported in 2020).

CalRecycle has set a target per capita disposal rate for Sonoma County, which must submit an annual report to CalRecycle with an update of its progress in implementing diversion programs and its current per capita disposal rate. Target disposal rates for Sonoma County for 2021 were 7.1 pounds per person per day (ppd) for residents; actual disposal rates were less than the target goals at 4.6 ppd for residents.[146] The proposed project would generate approximately 327 pounds of solid waste per day, based on the Sonoma County population solid waste generation rate of 4.6 pounds per day and the residential population of 71, which equates to approximately 0.16 tons per day. Conservatively assuming that all of the project's waste is landfilled, this would be less than 0.01 percent of the remaining daily capacity of 896 tons per day. Therefore, there is sufficient capacity at the landfill for project-generated solid waste.

According to the General Plan EIR, the total solid waste generation from the town of Windsor in 2013 was approximately 10,576 tons, total recycling was 4,787 tons, and total green waste was 5,292 tons. The town's solid waste makes up approximately two percent of the daily volume sent to the Central Disposal Site. The projected growth accommodated by the General Plan would increase solid waste generation by the town, but this increase would not have a significant impact on the capacity of the Central Disposal Site. As such, the General Plan EIR concluded that impacts related to solid waste generation and disposal would be less than significant. For these reasons, the impacts related to solid waste would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

[144] California Department of Resources Recycling and Recovery (CalRecycle). *SWIS Facility Detail: Central Disposal Site (49-AA-0001).* Accessed November 17, 2022, at https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1224?siteID=3621.

[145] CalRecycle, 2022. Landfill Tonnage Reports, accessed on November 30, 2022 at https://www2.calrecycle.ca.gov/LandfillTipFees/.

[146] CalRecycle, 2019. Disposal Rate Calculator, Sonoma County 2021, https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DisposalRateCalculator, accessed November 17, 2022.

e) Would the project comply with federal, state, and local statutes and regulations related to solid waste?

As previously described in criterion (d), because the proposed project is consistent with the current General Plan land use designation, construction and operation of the proposed project would not result in an increase in solid waste generation beyond what has been previously anticipated and analyzed in the General Plan EIR. The per capita disposal rate of 4.6 ppd for Sonoma County residents is below the CalRecycle target of 7.1 ppd per resident, and therefore complies with State requirements. In addition, the project would be required to comply with all applicable provisions of WMC Title VII, *Building and Housing*, to reduce construction debris sent to the landfill, and WMC Title XI, *Solid Waste Management*. Therefore, the proposed project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Compliance with federal, State, and local management and reduction statutes and regulations related to solid waste would result in project impacts related to solid waste to be *less than significant* and remain consistent with the conclusions in the General Plan EIR.

XVIII. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	❒	❒	■	❒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire	❒	❒	■	❒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	❒	❒	■	❒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	❒	❒	■	❒

GENERAL PLAN EIR

Chapter 4.8, *Hazards and Hazardous Materials*, of the General Plan EIR, addressed the impacts of wildfire hazards associated with buildout of the General Plan, including up to 30 units on the project site with a maximum height of 30 feet, at a program level, in Impact HAZ-6. The General Plan EIR concluded implementation of the General Plan could lead to an increase in development in areas that are susceptible to wildland fires; however, General Plan policies would reduce risks from wildland fires by reducing fire risks in the town with weed abatement and project proposal review in fire hazard areas. Additionally, the

policies would ensure the Town is prepared for fires by coordinating fire efforts with Sonoma County and by applying mitigation to projects unable to satisfy minimum fire flow requirements. The General Plan EIR determined the combined aforementioned would result in a less-than-significant impact.

EXISTING CONDITIONS

The project site is in a developed area in the town of Windsor. As previously described, the project site is surrounded by residential uses to the north, south and west, and parkland to the east. The project site is bounded by Cornell Street on the north, Robbins Park on the east, residential uses on the south, and Hembree Lane on the west.

As described in Section VIII, *Hazards and Hazardous Materials*, CAL FIRE has designated the project site within a LRA and outside of a very high fire hazard severity zone. The project site is approximately six miles northeast from the nearest very high fire hazard severity zone or land designated by CAL FIRE as a SRA.[147] According to the 2021 *Sonoma County Multijurisdictional Hazard Mitigation Plan*, the project site and the surrounding town of Windsor properties are in the area designated as "very low" relative hazard and "low" relative hazard for wildfire.[148] According to CAL FIRE, the eastern half of the project site is in the WUI influence zone, which is an area of wildfire-susceptible vegetation surrounding the other zones. The nearest WUI interface zone (highest risk) to the project site is approximately 700 feet to the southwest.[149] Additionally, the project site is not in an area designated as a California Public Utilities Commission (CPUC) fire threat and is roughly 1.7 miles northwest of the nearest CPUC fire threat district.[150]

IMPACT DISCUSSION

As described previously in the existing conditions section, the project site is not in or near an SRA or very high fire hazard severity zone. However, the project site is designated as by CAL FIRE as a WUI influence zone, which is defined as an area of wildfire-susceptible vegetation surrounding the other zones. Accordingly, the following discussion is written in this context.

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

As discussed in Section XV, *Transportation*, the introduction of the proposed single-family residential units in a residential area would not introduce an incompatible land use which could increase any hazardous driving conditions to this area of Windsor. While the proposed project would introduce 24 residential units on a vacant site, according to the Transportation Impact Study prepared by TJKM,[151] included as

[147] California Department of Forestry and Fire Protection, FHSZ Viewer, https://egis.fire.ca.gov/FHSZ/, accessed January 8, 2023.

[148] Sonoma County Multijurisdictional Hazard Mitigation Plan Update 2021, Volume 2 – Planning Partner Annexes, October 2021.

[149] CAL FIRE, 2019, "Wildland Urban Interface". https://frap.fire.ca.gov/media/10300/wui_19_ada.pdf.

[150] California Public Utilities Commission, CPUC High Fire Threat District. https://capuc.maps.arcgis.com/apps/webappviewer/index.html?id=5bdb921d747a46929d9f00dbdb6d0fa2, accessed January 9, 2023.

[151] TJKM, 2022. *Hembree Lane Oaks Subdivision Transportation Impact Study.* September 13.

Appendix H, *Transportation Data*, of this Initial Study, the introduction of 226 average daily trips would not worsen any congestion (level of service) standards during peak times as established by the Town.

Emergency vehicle access to the proposed single-family units would be provided via private driveways on Cornell Street, Country Meadow Lane, and Meadowlark Way via Billington Lane. Emergency vehicles would have access to the existing fire hydrants in the project area on Hembree Lane, Cornell Street, Country Meadow Lane, Sparrow Court, and Meadowlark Way. As discussed in Section XV, *Transportation*, emergency access would continue to be available the same as it is today via Hembree Lane, Cornell Street, Billington Lane, and Meadowlark Way. However, with the proposed project emergency vehicle access in the project vicinity would be improved from existing conditions. As discussed in Section 3.2.4.1, *Street Extensions,* the proposed project includes three street extensions. These proposed extensions improve emergency vehicle access in the project vicinity by connecting Cornell Street to Billington Lane via Country Meadow Lane, making Cornell Street a through street by completing the two existing sections together, and by constructing a hammerhead turn around on Meadowlark Way to better facilitate access to the existing street, which is currently a dead end street.

According to the Windsor Evacuation Zone map shown in Appendix H, *Transportation Data*, the project site would have direct access to the evacuation route on Old Redwood Highway via Billington Lane and therefore would not interfere with emergency access. Thus, the project would neither impair an adopted emergency response plan or an evacuation plan within a very high fire hazard severity zone, nor expose people or structures to a significant risk involving wildfire and exacerbate the risk of wildfire.

In summary, impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

The project would not exacerbate wildfire risks and expose occupants to pollutant concentrations from a wildfire or uncontrolled spread of wildfire since the site is generally flat with an approximate elevation range of 117 to 125 feet above mean sea level and is not surrounded by slopes or hills prone to fire. However, Sonoma County, including the Windsor area, has a history of high winds exacerbating wildfire. For example, the 2019 Kincade Fire resulted in spot fires from ember cast on properties within the town limits on the north and northeastern edges of town, and subsequent evacuation of the town and large parts of the county. Additionally, as previously described, because the site is undeveloped with vegetation, it is partially designated as a CAL FIRE WUI influence zone, i.e., an area with wildfire-susceptible vegetation. With the implementation of the proposed project, this hazard would be partially reduced because of the development of the proposed residential units on three acres of the 5.1-acre site, which would reduce the wildfire-susceptible vegetation on that portion of the site. However, the remaining 2.1 acres that would be dedicated to the Town to expand Robbins Park as part of the proposed project, would likely remain a CAL FIRE designated WUI influence zone due to the vegetation that would remain on the site.

Because of the history of wildfires in the region and the project setting, the proposed project would be required to comply the General Plan policies identified in the General Plan EIR which were determined to, when implemented, result in a less-than-significant impact. The policies in the Public Health and Safety (PHS) element that would apply to the proposed project include Policy PHS-4.1, *Fire Protection Design for New Development.* This policy requires new development adjacent to heavily grassed and semi-arid hillsides shall be designed to minimize fire hazards to life and property, including the use of fire preventive site design (i.e., defensible space), landscaping and building materials, and fire suppression techniques. Policy PHS-4.6, *Project Review for Proposals in Fire Hazard Areas*, requires that the that fire hazards of the proposed project be identified during project review by comparing the project site against the fire hazard maps prepared by CAL FIRE and that project sites that lie within the moderate to high hazard areas shall be subject to design modifications and conditions to minimize potential exposure to wildland fire. Additionally, Policy PHS-4.9, *Priority Undergrounding*, which requires that the undergrounding of utilities along emergency access and evacuation routes be prioritized to make them more reliable and to minimize hazards from fallen power lines. Compliance with these policies would reduce the potential for the proposed project to exacerbate wildfire hazards in the project vicinity.

Furthermore, the proposed project would be required to comply with the current California Building Code (CBC), which the Town has adopted in the WMC Title VII, *Building and Housing*, Chapter 2, *California Code of Regulatio*ns. Typical fire safety requirements of the CBC include the installation of fire sprinklers in buildings and other facilities; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction in high fire hazard severity zones; requirements for smoke-detection systems; exiting requirements; and the clearance of debris. Chapter 7A of the CBC, *Materials and Methods for Exterior Wildfire Exposure*, prescribes building materials and construction methods for new buildings in fire hazard severity zones. Chapter 7A contains requirements for roofing; attic ventilation; exterior walls; exterior windows and glazing; exterior doors; decking; protection of underfloor, appendages, and floor projections; and ancillary structures. Other requirements include vegetation management compliance, as prescribed in California Fire Code Section 4906 and PRC 4291, which has also been adopted by the Town as part of WMC Title VII, *Building and Housing*, Chapter 2, *California Code of Regulatio*ns. Mandatory compliance with the CBC and CFC would improves fire resistance of new structures, thereby reducing the potential for structures on the project site to act as a point of ignition thereby reducing the risk of exacerbating wildfires and reducing the risk of wildfires from damaging structures or occupants.

In summary, the proposed project would reduce the risk of exacerbating wildfire by removing vegetation on the site currently identified as a hazard by CAL FIRE, undergrounding utilities, and incorporating fire resistant landscaping, and would reduce the risk of wildfire damaging structures or occupants through mandatory compliance with the fire resistant building standards established by the CBC and CFC and subsequently adopted by the Town. Accordingly, impacts would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

As described in Section 3.2.4.1, *Street Extensions*, the proposed project would construct three new residential roadways on the project site. These roadways would not exacerbate fire risk as they would be built in an urban setting where similar roadways already exist and are routinely maintained by the Town. The impact of the construction of the proposed street extensions as a part of the project has been analyzed throughout this Initial Study. Accordingly, impacts related to wildfire would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

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

As described in criterion (b), the project site is relatively flat with an approximate elevation range of 117 to 125 feet above mean sea level. The project site does not exhibit a history of landslides and does not include any downslope or downstream flooding. A drainage channel and swale bisect the center of the project site and supports seasonal wetland. The drainage channel and swale flow from the northeast to the southwest, into a culvert that then conveys surface water in the Country Meadow Way right-of-way. As described in Section IX, *Hydrology and Water Quality*, the proposed project would incorporate 25 bioretention beds with curb openings to treat and detain the stormwater runoff from the proposed impervious surfaces.

Since the project site is generally flat and is not on or near a slope or hillside area, it would not expose people or structures to flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes, and would not exacerbate existing hazards. In addition, full volume capture through the proposed bioretention areas would ensure that runoff does not exceed the existing capacity of stormwater drainage systems which would reduce the potential of flooding. Accordingly, impacts related to wildfire would remain consistent with the conclusions in the General Plan EIR and would be *less than significant*.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	❒	■	❒	❒

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	❒	■	❒	❒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	❒	■	❒	❒

DISCUSSION

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

The project site is in developed area of Windsor. The site is currently undeveloped and covered in a mix of vegetation, including mature trees. The surrounding area is built out with residential uses on all sides, and a park to the east. All impacts to biological resources and cultural resources would be fully mitigated to less-than-significant levels. Therefore, impacts to the quality of the environment, wildlife, and major periods of California history or prehistory as a result of implementation of the proposed project would be *less than significant with mitigation*.

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

CEQA Guidelines Section 15355 defines cumulative impacts as two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. Cumulative impacts may result from individually minor, but collectively significant projects taking place over a period of time. CEQA Guidelines Section 15130(b) advises that a discussion of cumulative impacts should reflect both the severity of the impacts and the likelihood of their occurrence. To accomplish these two objectives, CEQA Guidelines Section 15130 permits two different methods for completion of a cumulative impact analysis and allows for a reasonable combination of the two approaches:

- The 'list' approach permits the use of a list of past, present, and probable future projects producing related or cumulative impacts, including projects both within and outside the Town; and

- The 'projections' approach allows the use of a summary of projections contained in an adopted plan or related planning document, such as a regional transportation plan, or in an EIR prepared for such a plan. The projections may be supplemented with additional information such as regional modeling.

The General Plan EIR evaluated the cumulative effects of the General Plan using the summary of projections approach provided for in CEQA Guidelines Section 15130(b)(1)(B). The General Plan EIR took into account growth from the General Plan within the town of Windsor boundary, in combination with projected growth in the rest of Sonoma County and the surrounding region, as forecast by ABAG.

As provided for by CEQA Guidelines Section 15130, the cumulative context considered in the General Plan EIR varies, depending on the nature of the issue being studied, to best assess each issue's geographic extent. For example, the cumulative impacts on water and air quality can be best analyzed within the boundaries of the affected resources, such as water bodies and air basins. For other cumulative impacts, such as hazard risks, traffic, and the need for new public service facilities, the cumulative impact is best analyzed within the context of the population growth and associated development that are expected to occur in the region or the public service providers' jurisdiction.

The General Plan EIR included an assessment of the redevelopment of the project site with commercial and residential projects. The impact discussions in Section I through Section XVIII, describe the proposed project relationship to and consistency with the scope of development, land use designations, population projections, and cumulative impacts analyses contained in the General Plan EIR. As shown, the proposed project cumulative impacts were determined to be less than significant or less than significant with mitigation in the cumulative context.

As described in the environmental checklist, the impacts of the proposed project would be mitigated to *less-than-significant* levels. The proposed project would incrementally contribute to, but would not exceed, the cumulative impacts analyses included in the General Plan EIR. Therefore, the proposed project would not be expected to contribute to significant cumulative impacts when considered along with other impacts under the General Plan.

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

As discussed previously, the proposed project would not result in a significant impact that could not be mitigated to a less-than-significant level, thus the proposed project's environmental effects would be *less than significant.*

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5. Organizations and Persons Consulted

The following agencies, organizations, and individuals prepared this Initial Study.

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