INITIAL STUDY/

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Heritage Park Project

Lead Agency:

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SECTION A. ENVIRONMENTAL CHECKLIST FORM

1.	Project Title:	Heritage Park (File No.DRR 17-19)
2.	Lead Agency Name and Address:	Town of Windsor 9291 Old Redwood Highway P. O. Box 100 Windsor, CA 95492
3.	Contact Person and Phone Number:	Kim Voge, Planner; (707) 838-1021
4.	Project Location:	8685 Old Redwood Highway, Windsor CA (APN 164-100-023)
5.	Project Sponsor's Name and Address:	Michael Weyrick 3911 N. Ventura Avenue Ventura, CA 93001 (805) 451-7268 michaelweyrick@mwdevelopment.org
6.	General Plan Designation:	Boulevard Mixed Use (BMU)
7.	Zoning:	Boulevard Commercial (BC)

8. Description of Project:

The Heritage Park Project (project) would include the construction of a three-story, 33-unit apartment building on a 1.66-acre site. The project site is located on the western corner of Old Redwood Highway and Courtyards East at 8685 Old Redwood Highway in Windsor, California (see **Figures 1** and **2**). The project site is designated as Boulevard Mixed Use (BMU) and is zoned as Boulevard Commercial (BC).

The apartment units would be affordable to low- and very low-income households and would include 13 three-bedroom units at 1,055 square feet each, 18 two-bedroom units at 955 square feet each, and 2 one-bedroom units at 720 square feet each. For the project site plan, see **Figure 3**. Because the project is 100 percent affordable housing, it is eligible for a minimum of four development concessions under the 2020 California Density Bonus Law (California Government Code Sections 65915-65918). The project applicant is requesting the following development concessions:

1. Elimination of required nonresidential components to allow a 100 percent residential project in the Boulevard Commercial zoning district, including allowing a larger front setback
2. Parking space reduction.
3. Exterior noise levels higher than Zoning Ordinance performance standards

Under California Density Bonus law, which applies to qualifying affordable housing projects, even if they are not seeking a density bonus, the maximum number of on-site parking spaces

the Town could require without using a development concession is 64. The site plan includes 50 on-site parking spaces, so a development concession is requested to allow the project to have fewer spaces. Parking standards require two spaces per units, but the parking reduction concession would allow 54 spaces (38 covered, 9 uncovered, and 7 parallel spaces).

The BC zoning district requires a maximum front setback of 5 feet but allows up to 20 percent of the façade to be set back 10 feet. The maximum front setback in the BC zoning district was established with the expectation that ground floor retail uses would be developed at the street. With an all-residential project, a larger front setback may be preferred for privacy and noise concerns, and therefore the front setback exception is included with the request to eliminate the requirement for a commercial component in the project. With the setback concession, the building would be set back up to 15 feet.

The Zoning Ordinance establishes the maximum exterior noise levels for commercial uses at 65 dBA and residential uses at 55 dBA. The project is a residential use in a primarily commercial zoning district. Maximum noise levels along Old Redwood Highway (in front of the project) are approximately 65 dBA. A development concession is requested to allow higher exterior noise levels, in the service of providing needed affordable housing, with the caveat that interior noise levels will be consistent with Town standards.

The main entry would be from a driveway on Courtyards East. An access road would be developed along the southern edge of the property. A secondary access point to the parking lot would be located at the west end of the access road.

A sound wall would also be constructed on the western edge of the project site if needed to be consistent with U.S. Department of Housing and Urban Development requirements for exterior noise.

The project site is located near the center of Windsor, on the east side of Highway 101. The site is relatively flat, with elevations ranging from 115 to 120 feet above mean sea level. The site contains a 1,000-square-foot single-family residence and a small barn structure, which are unoccupied and substantially deteriorated. The site contains limited landscaping and ornamental plants on the western portion of the site and undeveloped, disked land on the eastern portion of the site. Oak trees of varying health grow along the property line. The site currently drains away from the street. The residence and barn would be demolished as part of the project.

9. Surrounding Land Uses and Setting:

Surrounding the site are vacant parcels to the west, and multi-family and single-family homes to the south. On the north side of Old Redwood Highway, opposite the project site, there are several restaurants, a park, and a residential neighborhood. The project site is approximately 300 feet from Pueblo Viejo Park, a small neighborhood park that contains a children's play structure and lawn. The project site is 2,700 feet from Windsor Town Green, a 4.5-acre community park.

10. Other Public Agencies Whose Approval is Required:

    - U.S. Department of Housing and Urban Development
    - U.S. Army Corps of Engineers
    - North Coast Regional Water Quality Control Board

11. Have California Native American tribes traditionally and culturally affiliated with the project are requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?[1]

    The consultation process is complete. Results are summarized in Section XVIII. See **Appendix C** for detailed information.

[1] NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code Section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code Section 21082.3(c) contains provisions specific to confidentiality.



FIGURE 1
Regional Vicinity

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FIGURE 2

Project Location

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C:\Users\tanner.wolverton\OneDrive - Michael Baker International\Heritage\Figure 3 Site Plan.ppt (5/17/2019)

SITE SUMMARY

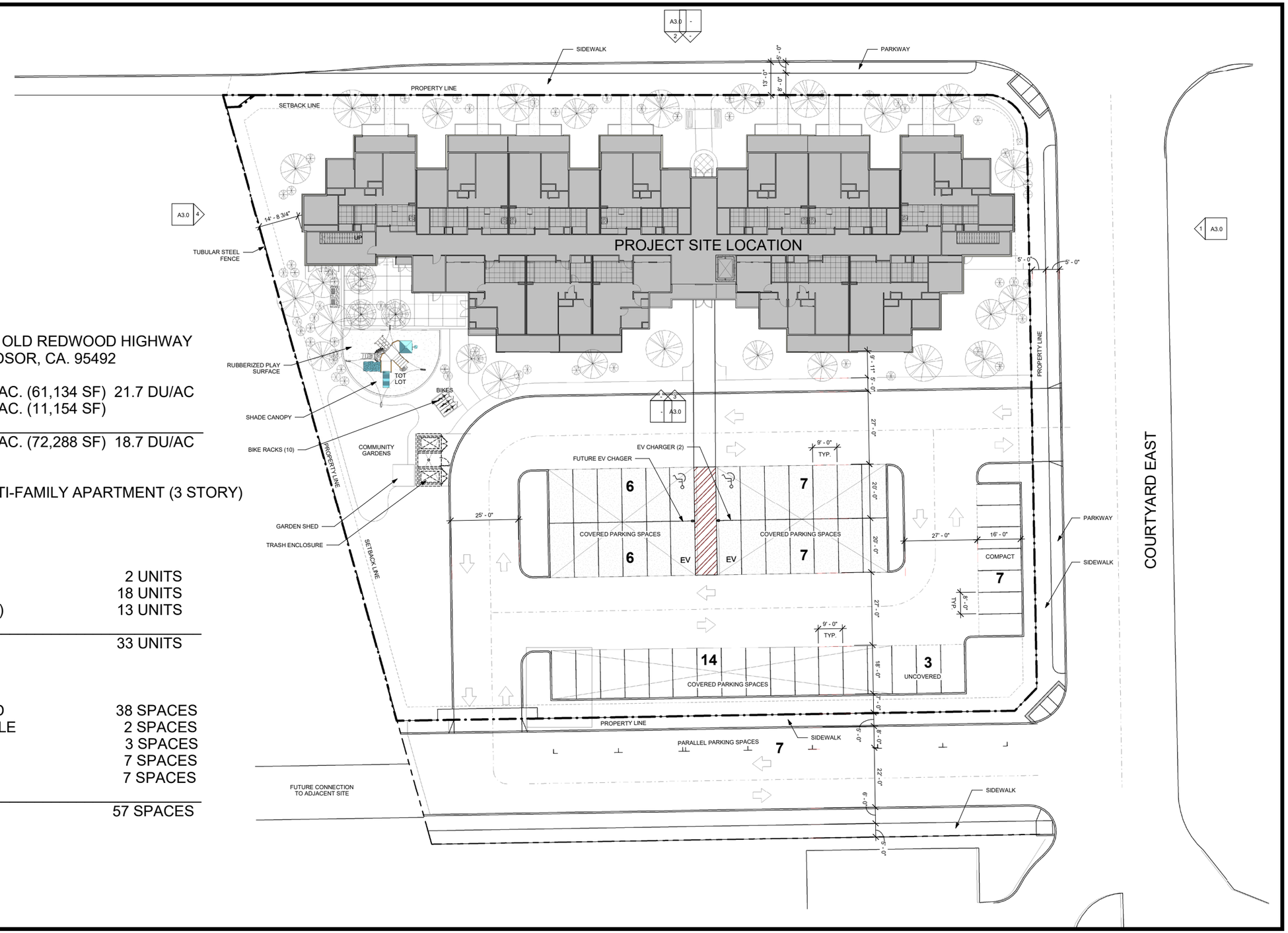
PROJECT ADDRESS:	8685 OLD REDWOOD HIGHWAY WINDSOR, CA. 95492
NET ACREAGE:	1.43 AC. (61,134 SF) 21.7 DU/AC
DEDICATED ACREAGE:	0.26 AC. (11,154 SF)
TOTAL AREA:	1.66 AC. (72,288 SF) 18.7 DU/AC
PROPOSED USE:	MULTI-FAMILY APARTMENT (3 STORY)

PROPOSED UNITS:

1 BEDROOM (720 SF)	2 UNITS
2 BEDROOM (955 SF)	18 UNITS
3 BEDROOM (1,055 SF)	13 UNITS
TOTAL:	33 UNITS

PARKING:

COVERED - STANDARD	38 SPACES
COVERED - ACCESSIBLE	2 SPACES
STANDARD	3 SPACES
COMPACT	7 SPACES
PARALLEL	7 SPACES
TOTAL:	57 SPACES



Not to scale

FIGURE 3
Site Plan

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SECTION B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and 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/Traffic	☒ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated and an answer is provided according to the analysis undertaken as part of the Initial Study. The analysis considers the long-term, direct, indirect, and cumulative impacts of the project. To each question, there are four possible responses:

- **No Impact**. The project would not have any measurable environmental impact on the environment.
- **Less Than Significant Impact**. The project would have the potential for impacting the environment, although this impact would be below established thresholds that are considered to be significant.
- **Less Than Significant Impact With Measures Incorporated**. The project would have the potential to generate impacts which may be considered a significant effect on the environment, although measures or changes to the development's physical or operational characteristics can reduce these impacts to levels that are less than significant.
- **Potentially Significant Impact**. The project would have impacts which are considered significant, and additional analysis is required to identify measures that could reduce these impacts to less than significant levels.

SECTION C. DETERMINATION

(To be completed by the Lead Agency)

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.

Signature Date

SECTION D. EVALUATION OF ENVIRONMENTAL IMPACTS

I. Aesthetics

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS: *Except as provided in Public Resources Code Section 21099, would the project:*				
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) In non-urbanized areas, 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 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 which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion

a-c) Except as provided in Public Resources Code Section 21099, would the project have a substantial adverse effect on a scenic vista? Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The proposed project would be partially visible from US Highway 101, a locally designated scenic route. The Town requires development along US Highway 101 to provide space for landscaping and avoid a monotonous visual barrier that conflicts with visual access to hillsides. The project would include landscaping and visual relief along all building elevations and would not block views of distant hillsides. The project would not affect any scenic resources in a scenic state highway corridor or degrade the surrounding visual character of the area. No impacts are anticipated.

d) Except as provided in Public Resources Code Section 21099, would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The project would increase light sources due to the installation of site lighting and street lighting. If not designed properly, new light sources could potentially spill over onto adjacent sites. However, the Town's standard conditions of approval require review of final photometrics prior to approval of improvement plans to ensure consistency with the Zoning Ordinance standards to provide adequate

light for security while controlling light spillover and glare. Compliance with Zoning Ordinance requirements would ensure impacts are less than significant.

II. Agriculture and Forestry Resources

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
AGRICULTURE AND FORESTRY RESOURCES: *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:*				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion

a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

There are no agricultural uses on or in the vicinity of the project site. The project site is located on land classified as "Urban and Built-Up Land" by the Sonoma County Farmland Mapping and Monitoring Program map (CDC 2016a). The project site is not near Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, there would be no impact to farmland.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The project site is not enrolled in a Williamson Act contract and is classified as "Urban and Built-Up land" by the 2016 Williamson Act Map (CDC 2016b). Furthermore, the project site is zoned as Boulevard Commercial, which does not include agricultural uses. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and there would be no impact.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

As discussed above, the project site is zoned as Boulevard Commercial, which does not allow for timberland or forest uses. Therefore, the project would not conflict with existing zoning for forestland or timberland, and there would be no impact.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

There are no forestry uses on or in the vicinity of the project site. Therefore, the project would not result in the loss or conversion of forestland, and there would be no impact.

e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

The project would include the construction of a 33-unit apartment complex on a 1.66-acre lot with an existing residence. No part of the project would result in conversion of farmland to non-agricultural use or conversion of forestland to non-forest land use. There would be no impact.

III. Air Quality

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY: *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. Would the project:*				
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 non-attainment under an 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?	☐	☐	☒	☐

Discussion

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

The project would not conflict with the applicable air quality plan, which is the Bay Area 2017 Clean Air Plan, because the project's land use is consistent with the Town of Windsor General Plan, and the general plans of the jurisdictions in the basin form the basis of the Clean Air Plan. In addition, the size of the project—33 residential units—would be below the Bay Area Air Quality Management District's (BAAQMD) operational air quality screening criteria and construction-related thresholds. Therefore, the project would not conflict with the applicable air quality plan and this would be considered a less than significant impact.

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

The BAAQMD is the regulatory agency that oversees air quality for the project area, which is in the San Francisco Bay Area Air Basin. The BAAQMD provides screening criteria to help determine whether a project's operational and construction impacts have the potential for significant impacts. The BAAQMD's CEQA Air Quality Guidelines (Operational-Related Criteria Pollutant and Precursor Screening Level Sizes, Table 3-1) provide the following screening levels for apartment, mid-rise land uses, based on the number of dwelling units (du):

1. Operational Criteria Pollutant Screening Size: 494 du (pertaining to reactive organic gases)
2. Operational GHG Screening Size: 87 du
3. Construction-Related Screening Size: 240 du (pertaining to reactive organic gases)

If all of the following screening criteria are met, the construction of the proposed project would result in a less than significant impact from criteria air pollutant and precursor emissions.

1. The project is below the applicable screening level size; and
2. All Basic Construction Mitigation Measures would be included in the project design and implemented during construction; and
3. Construction-related activities would not include any of the following:
   a. Demolition;
   b. Simultaneous occurrence of more than two construction phases (e.g., paving and building construction would occur simultaneously);
   c. Simultaneous construction of more than one land use type (e.g., project would develop residential and commercial uses on the same site) (not applicable to high-density infill development);
   d. Extensive site preparation (i.e., greater than default assumptions used by the Urban Land Use Emissions Model [URBEMIS] for grading, cut/fill, or earth movement); or
   e. Extensive material transport (e.g., greater than 10,000 cubic yards of soil import/export) requiring a considerable amount of haul truck activity.

Construction

Although the project is below the construction-related screening size of 240 dwelling units, the project would involve the demolition of a 1,000-square-foot single-family residence. However, as displayed in **Table 1**, the project's daily construction emissions would be below the established BAAQMD significance thresholds.

Table 1
Project Maximum Daily Construction Emissions

Construction Activity	Maximum Emissions (lbs./day)			
	ROG	NO_X	PM_{10}	$PM_{2.5}$
Maximum Emissions[1]	46.7	19.72	6.63	3.7
BAAQMD Significance Thresholds[2]	54	54	82	54
Significant (Yes or No)	No	No	No	No

Calculated by Michael Baker using CalEEMod (Version 2016.3.2) (Appendix A)
Source: BAAQMD 2017

Additionally, the project would not involve simultaneous occurrence of more than two construction phases, more than one land use type, extensive site preparation, or extensive material transport. The project would be constructed using best management practices that reduce construction emissions, in accordance with General Plan EIR Mitigation Measure AQ-1 (Construction Emissions Measures) Therefore, the project would have a less than significant impact on air quality during construction activities.

Operation

Because the project would fall below the BAAQMD's operational screening criteria, it can be conservatively assumed that the project would not result in a considerable net increase in any criteria pollutant during operation. The impact would be less than significant.

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

Sensitive receptors are located north, south, and east of the project site. Construction activities associated with the project would generate airborne particulate, pollutants associated with the use of construction equipment on a short-term basis. However, because the project is below the BAAQMD's operational screening criterion and construction-related thresholds, the project would not generate substantial pollutant concentrations and this impact would be less than significant.

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

Project construction would generate localized emissions of diesel exhaust from construction equipment. Odors from these emissions may be noticeable periodically, but the exhaust would dissipate quickly and would not substantially affect people off-site. Residential uses are not substantial generators of odors and there is nothing peculiar about the project that would generate odors. Therefore, the proposed project would not include sources of objectionable odors likely to generate complaints from neighbors. This impact is less than significant.

IV. Biological Resources

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
BIOLOGICAL RESOURCES: *Would the project:*				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or 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?	☐	☒	☐	☐
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 US Fish and Wildlife Service?	☐	☒	☐	☐
c) 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?	☐	☒	☐	☐
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 nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☒	☐	☐

Discussion

The analysis below is based on a biological assessment of the project site conducted in November 2018 by Weimeyer Ecological Sciences and on an arborist report conducted in July 2018 by Horticultural Associates (**Appendix B**).

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or 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?

Special-status species were not identified on the project site. The project would require the filling of 0.05 acres of seasonal wetlands. Seasonal wetlands located in the Santa Rosa Plain provide suitable habitat for federally endangered plant species. Construction activities and tree removal have the potential to impact raptors and native nesting birds. Tree removal also has the potential to impact special-status bat species and other native roosting bats. However, mitigation measures **BIO-1** to **BIO-4** would reduce impacts to a less than significant level.

b,c) 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 US Fish and Wildlife Service or 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 project would require the filling of 0.05 acres of seasonal wetlands. Mitigation measures **BIO-1** and **BIO-3** would reduce impacts to riparian habitat and wetlands to a less than significant level.

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 nursery sites?

The project site would not be considered a migratory wildlife corridor because of substantial developments surrounding the site and the lack of significant undeveloped areas to the north, east and south of the site. No nursery sites (heron or egret rookery, etc.) were observed at the site. No impact would occur.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The Town of Windsor has adopted a Tree Preservation and Protection Ordinance. Of the 58 trees on the site, 46 are protected oak trees; 25 of those protected trees would need to be removed as part of the project and 21 would be preserved in place. The proposed project would comply with all applicable Town of Windsor Tree Preservation and Protection policies and regulations, including the fencing of trees to be preserved during project construction and the filing of tree removal permits. Impacts would be less than significant.

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

The project site is covered by the Santa Rosa Plain Conservation Strategy (SRPCS). The project site is not within the potential range of the California tiger salamander (*Ambystoma californiense*; CTS) as mapped by the United State Fish and Wildlife Service (USFWS) according to the SRPCS. The project site is categorized as "Presence for CTS is not likely but Mitigation for listed plants may be required" according to Figure 3 of the SRPCS (SRPCST 2005).

In addition, the project site is categorized as "May affect listed plants but would not likely affect CTS" according to Enclosure 1 of the Programmatic Biological Opinion for the USACE Permitted Projects that May Affect California Tiger Salamander and Three Endangered Plant Species on the Santa Rosa Plain, California (USFWS 2007).

According to these two documents, mitigation for potential impacts to CTS habitat would not be required but mitigation for impacts to suitable seasonal wetland habitat for federally listed plant species would be required. The project site is not listed as an occurrence site in the California Department of Fish and Wildlife's California Natural Diversity Database (CDFW 2018) or the Seasonal Wetland Baseline Report for the Santa Rosa Plain, Sonoma County (Patterson, Guggolz, and Waaland 1994).

Compliance with mitigation measure **BIO-3** would comply with the requirements of the SRPCS and the Programmatic Biological Opinion issued by the USFWS. Impacts would be less than significant with mitigation incorporated.

Mitigation Measures

BIO-1 Obtain permit authorization from the United States Army Corps of Engineers (USACE) and the North Coast Regional Water Quality Control Board (RWQCB) for fill of the 0.05 acres of seasonal wetlands. The permit applications that would need to be submitted include a USACE Section 404 Nationwide Permit #39 and a North Coast RWQCB Section 401 Water Quality Certification.

Mitigate for the loss of 0.05 acres of seasonal wetlands through the purchase of 0.05 acres of constructed seasonal wetlands at an agency-approved wetland mitigation bank in the Santa Rosa Plain.

Timing/Implementation: Prior to construction activities

Enforcement/Monitoring: Town of Windsor Community Development Department

BIO-2 In the event that construction activities are initiated (including land clearing, demolition, and/or tree removal) within the avian nesting season (February 1–August 31), a preconstruction survey shall be performed by a qualified biologist on the site to locate any active nests on or immediately adjacent to the site. The preconstruction survey shall be performed within 15 days before initiation of site activities. If active nests are identified, protective measures shall be implemented. An appropriate non-disturbance buffer zone shall be established—typically up to 300 feet for raptors and 50 feet for passerines, or as otherwise recommended by the biologist. These protection measures shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active, as determined by the biologist. If land-clearing activities (including all vegetation removal) can be performed outside of the nesting season (September 1–January 31), no preconstruction surveys for nesting birds are warranted.

Timing/Implementation: Prior to construction activities

Enforcement/Monitoring: Town of Windsor Community Development Department

BIO-3 During the permitting process with the US Army Corps of Engineers (USACE), request the USACE to obtain formal consultation with United State Fish and Wildlife Service (USFWS) to append the project to the Programmatic Biological Opinion (USFWS 2007).

Under specified conditions under the Programmatic Biological Opinion (USFWS 2007), mitigate for the loss of 0.05 acres of suitable habitat for listed plants through the purchase of 0.05 acres (1:1 mitigation ratio) of Burke's goldfields or Sonoma sunshine occupied or established habitat (any combination) with success criteria met prior to groundbreaking at the project site AND 0.025 acres (0.5:1 mitigation ratio) of Burke's goldfields or Sonoma sunshine establishment habitat with success criteria met prior to groundbreaking at the project site.

Timing/Implementation: Prior to construction activities

Enforcement/Monitoring: Town of Windsor Community Development Department

BIO-4 To ensure that actively roosting bats are not disturbed as a result of tree trimming and tree removal, the following mitigation measures would be implemented to avoid impacts to bat species.

1. The pruning or removal of living trees or snags must not occur during the maternity season between April 1 and September 1 to minimize the disturbance of young that may be present and unable to fly.
2. The pruning or removal of living trees or snags must occur between the hours of 12 p.m. and sunset on days after nights when low temperatures were 50° or warmer to minimize impacting bats that may be present in deep torpor.
3. When it is necessary to perform crown reduction on trees over 12 inches in diameter breast height or remove entire trees or branches over 6 inches in diameter, there shall be preliminary pruning of small branches less than 2 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. If it is not possible to implement Measures 2 and/or 3, then a qualified bat biologist will be required to conduct tree cavity surveys and humanely evict roosting bats within 24 hours of vegetation management activities. Measure 1, i.e., avoidance of maternity season, is critical as young bats that are not able to fly cannot be humanely evicted.

Timing/Implementation: During construction activities

Enforcement/Monitoring: Town of Windsor Community Development Department

V. Cultural Resources

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
CULTURAL RESOURCES: *Would the project:*				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Discussion

The discussion and impact analysis in this section are based on findings from three cultural resource studies: *Historic Property Survey for the Heritage Park Apartments Project, 8685 Old Redwood Highway, Windsor, Sonoma County, California* (Evans 2018); *Historic Resource Evaluation for the Heritage Park Apartments Project, 8685 Old Redwood Highway, Windsor, Sonoma County, California* (De Shazo 2018); and *Results of An Extended Phase I Archaeological Study for the Proposed Heritage Park Apartments Project, 8685 Old Redwood Highway, Windsor, Sonoma County, California* (Evans 2019). The studies included delineation of the area of potential effect (APE), a Northwest Information Center (NWIC) records search, historic map review, Native American Heritage Commission sacred lands file search, Native American consultation, archaeological and built environment field surveys, archival research, evaluation of two built environment properties for eligibility to the National Register of Historic Places (National Register) and California Register of Historical Resources (California Register), and archaeological testing within the APE (**Appendix C**).

Cultural Resources Identification Efforts

Records Search

A records search (#18-0226) was conducted at the NWIC on August 1, 2018, by Evans & De Shazo, Inc. The NWIC, as part of the California Historical Resources Information System, Sonoma State University, an affiliate of the California Office of Historic Preservation (OHP), is the official state repository of cultural resources records and reports for Sonoma County. No cultural resources were identified within the APE. See **Appendix C** for NWIC search results.

Historical Map Review

Evans & De Shazo reviewed historical maps for archaeological, ethnographic, and historical information about the project area and the vicinity. The earliest map to show specific land use and buildings was a 1933 topographic map showing one building, which is likely the existing house on the project site. The project site is depicted as containing a house, barn, and orchard on a 1942 aerial map

and a 1956 topographic map. A 1993 topographic map shows the house and barn, but the orchard appears to have been removed by this time.

Sacred Lands File Search

Evans & De Shazo requested a sacred lands inventory from the Native American Heritage Commission (NAHC) on August 7, 2018, to determine if there are any Native American sacred lands within or adjacent to the project site. A response was received from the NAHC on August 10, 2018, with negative results.

Native American Consultation

On May 29, 2018, the Town sent Assembly Bill (AB) 52 consultation request letters to Lytton Rancheria, Federated Indians of Graton Rancheria, and Middletown Rancheria of Pomo Indians, three tribes who had requested consultation for projects within the Town subject to CEQA. Due to delivery issues, consultation letters were re-sent on May 31, 2018, to Graton Rancheria and Middletown Rancheria. Below is a brief consultation log for the project. See **Appendix C** for copies of consultation correspondence.

Contact Information	Date of Consultation	Consultation Log
Jose Simon III, Chairperson Middletown Rancheria of Pomo Indians P.O. Box 1035 Middletown, CA95461	June 12, 2018	Stephanie L. Reyes, Tribal Historic Preservation Officer, responded via email that the tribe has no cultural sites or resources within the Town's boundaries and no longer requires AB 52 notifications.
Nick Tipon, Chairman Federated Indians of Graton Rancheria P.O. Box 14428 Santa Rosa, CA 95402	None	No response was received.
Brenda L. Tomaras, Consultant Lytton Rancheria 10755-F Scripps Poway Parkway San Diego, CA 92131	June 13, 2018	Brenda L. Tomaras responded via email stating that the tribe requests the same conditions originally requested during a 2008 consultation completed for a similar project on the same site. The tribe provided February 11 and April 9, 2008, consultation letters which requested notification of any archaeological cultural resources or human remains discovered during project-related construction.

Archaeological Field Survey and Testing

Evans & De Shazo conducted an archaeological field survey of the APE on August 3, 2018.

The archaeological survey was completed using 1-meter linear transects oriented east/west. Visibility was less than 50 percent due to thick vegetation. A hand trowel was used to scrape and inspect soil, and rodent back dirt was inspected. Two historic-period artifacts were identified including a fragment of white earthenware ceramic and one floral earthenware ceramic fragment. Both fragments are considered isolated artifacts and do not represent a historical resource. No additional historic-period artifacts or features or prehistoric artifacts, features, or other indications of an archaeological site were

observed within the APE; however, the APE was determined to have high sensitivity for buried prehistoric and historic-period archaeological resources. (Evans 2018)

Evans & De Shazo conducted an Extended Phase I (XPI) Archeological Study to determine the presence or absence of subsurface archaeological resources within the APE because the APE was identified as having high sensitivity for buried prehistoric and historic-period archaeological resources. The XPI included the mechanical excavation of four trenches distributed throughout the APE. No prehistoric or historic-period archaeological resources were identified during testing. (Evans 2019)

Built Environment Field Survey and Evaluations

Evans & De Shazo conducted a built environment field survey of the APE on July 27 and August 3, 2018, which identified two built environment properties within the APE: 8685 Old Redwood Highway, a circa 1900 single-family residence and barn, and 8635 Old Redwood Highway, a circa 1910 Queen Anne-style house. (De Shazo 2018)

Both properties were evaluated for inclusion in the National Register and California Register as identified below. The California Office of Historic Preservation concurred with the evaluation findings on April 14, 2020.

Resource Name	National Register eligible	California Register eligible	Historical Resource as defined by CEQA
8685 Old Redwood Highway	No	No	No
8635 Old Redwood Highway	No	Yes Criterion 3	Yes

8685 Old Redwood Highway was determined ineligible for listing in the National Register and California Register due to lack of association with a historic context. 8635 Old Redwood Highway was determined ineligible for listing in the National Register under any criteria, but eligible for the California Register under Criterion 3 as a good example of Queen Anne-style architecture.

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

One historical resource, 8635 Redwood Highway, was identified within the APE. It was evaluated as eligible for listing in the California Register under Criterion 3 as a good example of Queen Anne-style architecture. The building is located across the street from the proposed project and the project does not propose any physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired. The resource is significant for its architectural style and the project does not propose any changes to such; therefore, there will be no impact to the historical resource as a result of this project.

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

No archaeological resources were identified within the APE after field survey and testing. However, there is the potential to uncover archaeological resources within the project area during project-related construction; therefore, mitigation measures **CUL-1** and **CUL-2** would be required.

Mitigation measure **CUL-1** would require a preconstruction meeting and training to construction personnel prior to ground-disturbing activities, and mitigation measure **CUL-2** would require consulting an archaeologist in the event of a discovery. These mitigation measures would mitigate impacts on subsurface resources to less than significant.

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

Ground-disturbing activities as part of the proposed project could uncover human remains. The project would be required to comply with California Health and Safety Code Section 7050.5, which states that construction or excavation be stopped in the vicinity of discovered human remains until the coroner has made the necessary findings as to the origin and disposition of the remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact the Native American Heritage Commission. Complying with California Health and Safety Code Section 7050.5 would ensure a less than significant impact if human remains are encountered.

Mitigation Measures

CUL-1 **Preconstruction Meeting and Training**

A qualified archaeologist shall provide a preconstruction meeting with cultural resources awareness training to all construction personnel who will conduct ground-disturbing activities. The training shall include information regarding the types of artifacts, prehistoric and historic-period, that may be encountered during earth-disturbing activities, as well as the procedures to follow if resources are identified during construction and an archaeologist is not present. The training must occur prior to the start of the project and any ground-disturbing activities.

Timing/Implementation: *Prior to ground-disturbing activities*

Enforcement/Monitoring: *Town of Windsor Community Development Department*

CUL-2 **Treatment of Previously Unidentified Archaeological Deposits**

If suspected prehistoric or historic-period archaeological deposits are discovered during construction, all work within 25 feet of the discovery shall be redirected and a Secretary of the Interior Professionally Qualified Archaeologist and/or Registered Professional Archaeologist shall assess the situation and make recommendations regarding the treatment of the discovery. Impacts to significant archaeological deposits should be avoided if feasible, but if such impacts cannot

be avoided, the deposits shall be evaluated for their eligibility to the California Register of Historical Resources and National Register of Historic Places. If the deposits are not California Register or National Register eligible, no further protection of the find is necessary. If the deposits are eligible, effects shall be avoided or mitigated. Acceptable mitigation may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits, recording the resource, preparation of a report of findings, and accessioning recovered archaeological materials at an appropriate curation facility.

Timing/Implementation: *During ground-disturbing activities*

Enforcement/Monitoring: *Town of Windsor Community Development Department*

VI. Energy

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
ENERGY: *Would the project:*				
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?	☐	☐	☒	☐

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 Energy

During construction, the proposed project would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Fossil fuels used for construction vehicles and other energy-consuming equipment would be used during site clearing, grading, and construction. Fuel energy consumed during construction would be temporary in nature and would not represent a significant demand on energy resources. Project construction equipment would also be required to comply with the latest US Environmental Protection Agency and California Air Resources Board engine emissions standards. These emissions standards require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption. Additionally, construction building materials could include recycled materials and products originating from nearby sources in order to reduce costs of transportation. Due to increasing transportation costs and fuel prices, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary consumption of energy during construction. There is growing recognition among developers and retailers that sustainable construction is not prohibitively expensive, and that there is a significant cost-savings potential in green building practices and materials.

Substantial reductions in energy inputs for construction materials can be achieved by selecting building materials composed of recycled materials that require substantially less energy to produce than non-recycled materials. The incremental increase in the use of energy bound in construction materials such as asphalt, steel, concrete, pipes and manufactured or processed materials (e.g., lumber and gas) would not substantially increase demand for energy compared to overall local and regional demand for construction materials. It is reasonable to assume that production of building materials such as concrete, steel, etc., would employ all reasonable energy conservation practices in the interest in minimizing the cost of doing business.

Operational Energy

Transportation Energy Demand

The project would not result in any unusual characteristics that would result in excessive operational fuel consumption. The project would also comply with the Energy Independence and Security Act of 2007, federal vehicle standards, and California's Low Carbon Fuel Standard, which regulate fuel efficiencies for vehicles, including trucks. Thus, consumption associated with vehicle trips generated by the proposed project would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. In addition, the project would have a relatively low vehicle trip generation rate and would only generate approximately 180 daily trips daily.

Building Energy Demand

The proposed project would consume energy for interior and exterior lighting, heating/ventilation and air conditioning (HVAC), refrigeration, electronics systems, appliances, and security systems, among other things. The estimated energy usage of the project would be 136,236 kilowatt hours per year (**Appendix A**).

The project would be required to comply with Title 24 Building Energy Efficiency Standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of Title 24 standards significantly reduces energy usage. Furthermore, the electricity provider in the Town, PG&E, is subject to California's Renewables Portfolio Standard (RPS). The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020 and to 50 percent of total procurement by 2030. Renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat. The increase in reliance on such energy resources further ensures that projects would not result in the waste of the finite energy resources.

The proposed project would adhere to all federal, state, and local requirements for energy efficiency, including the Title 24 standards, as well as the project's design features. The proposed project would not result in the inefficient, wasteful, or unnecessary consumption of building energy. Additionally, the proposed project would not result in a substantial increase in demand or transmission service, resulting in the need for new or expanded sources of energy supply or new or expanded energy delivery systems or infrastructure.

For the reasons described above, the proposed project would not place a substantial demand on regional energy supply or require significant additional capacity, or significantly increase peak and base period electricity demand, or cause wasteful, inefficient, and unnecessary consumption of energy during project construction, operation, and/or maintenance, or preempt future energy development or future energy conservation.

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

The project would comply with the most current version of Title 24 and California Green Building Standards Code (CALGreen), which would ensure the project incorporates energy-efficient windows,

insulation, lighting, ventilation systems, and water-efficient fixtures, as well as green building standards. Adherence to the Title 24 energy and CALGreen requirements will ensure conformance with the state's goal of promoting energy, water, and lighting efficiency. Therefore, the proposed project would result in less than significant impacts associated with renewable energy or energy efficiency plans.

VII. Geology and Soils

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
GEOLOGY AND SOILS: *Would the project:*				
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? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
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 in 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 waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Discussion

a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, strong seismic ground shaking, seismic related ground failure, including liquefaction, or landslides?*

The project is in an area that is subject to seismic activity from the Healdsburg-Rodgers Creek fault (CDC 1983). However, no faults are known to occur within the project site. Therefore, the risk of damage due to primary fault rupture is determined to be low. Additionally, the project site is not in an area prone to landslides (CDC 2018).

Soils on the project site are composed of Huichica loam and are moderately well drained (NRCS 2019). Soils that drain well are not typically prone to liquefaction. Additionally, the Town of Windsor General Plan identifies the project site as an area of low susceptibility to liquefaction.

The General Plan identified the project site as being in an area susceptible to extreme earthquake shaking potential. However, the Town's enforcement of its building code will ensure that future construction will be consistent with the California Building Code (CBC). New construction is required to adhere to standard civil engineering design principles and must be adopted per Town standards related to "near-source seismic force increase." Compliance with existing regulations related to building design in seismically active areas will ensure impacts are less than significant.

b) *Result in substantial soil erosion or the loss of topsoil?*

The project site has a low potential for soil erosion because it is relatively flat. The project would adopt construction best management practices (BMPs) to avoid and minimize the transport of soil or contaminants off-site. Additionally, the project must be designed to lessen, to the maximum extent practicable, the introduction of pollutants that may result in significant impacts, and that are generated from site runoff to the stormwater conveyance system as approved by the Town. For these reasons, the project would have less than significant impacts on soil erosion or 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?*

Impacts related to liquefaction and landslides are discussed above. Lateral spreading is the downslope movement of surface sediment due to liquefaction in a subsurface layer. The downslope movement is due to gravity and earthquake shaking combined. Lateral spreading of the ground surface during seismic activity usually occurs along the weak shear zones within a liquefiable soil layer and has been observed to generally take place toward a free face (i.e., retaining wall, slope, or channel) and, to a lesser extent, on ground surfaces with a very gentle slope. Due to the absence of any channel within or near the project site, and the subsurface soil conditions that are not conducive to liquefaction, the potential for lateral spread occurring at the project site is considered unlikely. The potential for subsidence to occur is also minimal, since no ongoing oil or groundwater extraction is occurring in the area. As described above, the project would be constructed in accordance with the CBC, which is designed to ensure safe construction and includes building foundation requirements appropriate to site conditions. For these reasons, potential impacts to people or structures due to landslide, lateral spreading, subsidence, liquefaction, or collapse would be less than significant.

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

Expansive soils shrink and swell with changes in soil moisture. Soil moisture may change from landscape irrigation, rainfall, and utility leakage. Expansive soils are commonly very fine-grained with high to very high percentages of clay. The soils that underlie the project site are expected to be Huicha loam. These soils are composed of alluvium derived from igneous, metamorphic, and sedimentary rock. The geotechnical study that will be prepared for the project will confirm the presence or absence of expansive soils. If expansive soils are present, the Town would require the project site to comply with the applicable soil and foundation codes of the CBC that specify special foundation design for construction on soils that exceed certain expansion thresholds. With adherence to applicable building codes and implementation of design recommendations included in the geotechnical study, potential impacts would be less than significant.

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 project site is in an area where public water and wastewater infrastructure is available. The project would be required to connect to public services as a condition of development. Septic and/or alternative waste disposal systems are not proposed for the project. No impact would occur.

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

Paleontological remains are fairly common in Sonoma County and have been most often recovered from three geologic formations: the Franciscan complex, the Wilson Grove Formation, and the Sonoma Volcanics. The project site consists of unnamed alluvial fan deposits, which were determined in the Windsor General Plan Draft EIR to have low sensitivity for paleontological resources. Given the low potential of on-site soils to yield fossils, this impact is considered less than significant.

VIII. Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
GREENHOUSE GAS EMISSIONS: *Would the project:*				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion

The BAAQMD relies on its CEQA Air Quality Guidelines to assess air quality and greenhouse gas (GHG) emissions from land use projects. The Town has not adopted quantified thresholds to evaluate GHG emissions from land use projects. Per the BAAQMD, projects must have emissions below 1,100 metric tons (MT) of carbon dioxide equivalent (CO_2e) per year of the efficiency metric to be considered to have less than significant GHG emissions. The BAAQMD's thresholds of significance for operations identifies the screening size of low-rise apartments to be 78 dwelling units. The project proposes a total of 33 dwelling units.

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

The BAAQMD identified screening criteria for the sizes of land use projects that could result in significant GHG emissions. For operational impacts, the screening project size is identified as 78 dwelling units. The project includes fewer than 78 units, so it is assumed that the emissions would be below the BAAQMD significance threshold of 1,100 MT of CO2e annually. The proposed project would generate approximately 402.7 MT CO2e per year, or approximately 4.1 MT CO2e per year per capita (**Appendix A**). The 2040 General Plan EIR determined that full buildout of the 2040 General Plan would result in an estimated 5.85 MT CO2e per person per year. Therefore, the project would result in fewer GHG emissions than assumed in the 2040 General Plan EIR. Because the project does not change any General Plan land use designations, and because the project would be required to implement General Plan policies to reduce greenhouse gas emissions, the project would not result in an increase to the estimated growth and emissions levels that were included in the 2040 General Plan EIR.

Additionally, the 2040 General Plan EIR determined that full buildout of the General Plan would not exceed BAAQMD's efficiency threshold of 6.6 MT CO2e per person per year or the CARB 2017 Scoping Plan recommendation that local governments aim to achieve a community-wide goal of no more than 6 MT CO2e per capita by 2030. Therefore, the proposed project would not increase the GHG emissions estimated for full buildout of the General Plan.

For the above reasons, the project would result in a less than significant cumulative impact related to GHG emissions.

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

In July 2016, the Sonoma County Regional Climate Protection Agency adopted the Sonoma County Regional Climate Action Plan (CAP; 2016), which applies to the Town of Windsor. The CAP is part of a longer-term effort that will be needed to reduce GHG emissions in Sonoma County. It focuses on relatively short-term actions to reduce emissions by 25 percent below 1990 levels by 2020.

Under the CAP, new development projects are considered to have a less than significant impact under CEQA if consistency with all applicable mandatory local or regional measures is demonstrated. Appendix A of the CAP includes the following individual GHG reduction measures applicable to the proposed project:

Measure 1-S1: Title 24 Standards for Commercial and Residential Buildings

Measure1-S2: Lighting Efficiency and Toxics Reduction Act (AB 1109)

Measure 1-L1: Expand the Green Building Ordinance Energy Code

Measure 1-L2: Outdoor Lighting

Measure 1-L3: Shade Tree Planting

Measure 9-R1: Waste Diversion Goal

Measure 11-R1: Countywide Water Conservation Support and Incentives

Measure 11-L1: Senate Bill SB X7-7 Water Conservation Act of 2009

Measure 11-L2: Water Conservation for New Construction

The project would comply with CALGreen, including requirements to increase recycling, reduce waste, reduce water use, and other measures that will reduce GHG emissions. The proposed project would therefore be consistent with the Sonoma County Regional CAP and regulations adopted by the state of California to reduce GHG emissions. The impact would be less than significant.

IX. Hazards and Hazardous Materials

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS: *Would the project:*				
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 or acutely 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 materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located 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 or excessive noise for people residing 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?	☐	☐	☐	☒

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?

The project proposes residential uses which would involve storage and use of small amounts of commercially available household cleaning and landscaping supplies. The proposed residential uses would not involve the routine transport, use, or disposal of quantities of hazardous materials that may create a significant hazard to the public or environment. Therefore, the project would have a less than significant impact.

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?

Demolition of the existing single-family residence on the project site may require the removal of building material containing potentially hazardous substances, including asbestos and lead-based paint. The project would comply with applicable regulatory requirements for the safe removal of these and any other hazardous substances.

Construction of the project would include the transport, storage, and use of chemical agents, solvents, paints, and other hazardous materials commonly associated with construction activities. Construction activities, including chemical transport, storage, and use, would be required to comply with applicable regulations regarding transport, storage, and use of hazardous materials. Compliance with these regulations would minimize the potential for hazardous material releases. Therefore, this impact would be less than significant.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

There is a potential for release of hazardous emissions or handling of hazardous materials and substances during the short-term construction activities for the project. There are no schools within one-quarter mile of the project site. In addition, because substantial federal, state, and local regulations addressing the transport, use, storage, and disposal of hazardous materials are in place, the potential for substantial effects to schools would be less than significant. Compliance with applicable hazardous materials regulations would reduce the likelihood of unsafe release of hazardous emissions to less than significant levels.

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

Government Code Section 65962.5 requires the California Department of Toxic Substances Control (DTSC) to compile and update, at least annually, lists of the following:

- Hazardous waste and substances sites from the DTSC EnviroStor database.
- Leaking Underground Storage Tank sites by county and fiscal year in the State Water Resources Control Board (SWRCB) GeoTracker database.
- Solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside waste management units.
- SWRCB Cease and Desist Orders and Cleanup and Abatement Orders.
- Hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC.

These lists are collectively referred to as the "Cortese List." The proposed project site is not listed on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no impact would occur.

e) For a project located 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 or excessive noise for people residing or working in the project area?

The Sonoma County Airport is located approximately 2 miles south of the project site; however, the project is not located with the airport's land use plan. Additionally, the project site is not located within the vicinity of a private airstrip. For these reasons, the project would not expose people to safety hazards due to proximity to a public airport or private airstrip, and no impacts are anticipated.

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

The Town's Local Hazard Mitigation Plan (LHMP; 2017a) addresses Windsor's planned response to natural disasters. The project would be reviewed by the Windsor Fire Protection District to ensure that it would not interfere with the Town's LHMP or evacuation routes.

As part of the project, a storm drain connection would be established across Old Redwood Highway and may require temporary lane closures or detours during those construction activities. In this case, the applicant would coordinate with the Windsor Public Works Department to ensure traffic operations are not adversely affected. For these reasons, the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant.

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 California Department of Forestry and Fire Protection (Cal Fire) developed Fire Hazard Severity Zones for State Responsibility Areas and Local Responsibility Areas. The project site is located in a Local Responsibility Area with a non-fire hazard designation. The project would include required fire suppression design features identified in the latest edition of the CBC and is located in a developed area that is presently afforded fire protection and emergency medical services. For these reasons, no significant risk of loss, injury, or death involving wildland fires is anticipated. No impact would occur.

X. Hydrology and Water Quality

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
HYDROLOGY AND WATER QUALITY: *Would the project:*				
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?	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Discussion

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

Windsor is in the Russian River watershed, in the Mark West Creek subwatershed. Five major creeks flow through the town (Windsor Creek, East Windsor Creek, Pool Creek, Pruitt Creek, and Starr Creek). Several additional creeks flow close to the Town's edge (Gumview Creek, Sotoyome Creek, Redwood Creek, Ordinance Creek, and Airport Creek). The majority of the Town's potable water supply is primarily from Windsor Water District wells in the Russian River Well Field, obtained under the Sonoma County Water Agency's diversion rights. The Town also owns five off-river wells. One

active groundwater well exists to provide irrigation water for Esposti Park; the other four wells are currently inactive.

The SWRCB, and by extension the North Coast RWQCB, regulate and protect waters in California. These boards issue and enforce waste discharge permits, National Pollutant Discharge Elimination System (NPDES) permits, and Clean Water Act Section 401 quality permits. Pursuant to SWRCB Construction General Permit Order No. 99-08-DWQ, the Town is required to reduce or eliminate pollutant discharges into stormwater and non-stormwater runoff from construction sites.

Compliance with the Construction General Permit requires each qualifying development project to file a Notice of Intent with the SWRCB. Permit conditions require development of a stormwater pollution prevention plan (SWPPP), which must describe the site, the facility, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of construction sediment and erosion control measures, maintenance responsibilities, and non-stormwater management controls. Inspection of construction sites before and after storms is also required to identify stormwater discharge from the construction activity and to identify and implement erosion controls, where necessary. Compliance with the Construction General Permit is reinforced through the Town of Windsor Municipal Code, which requires the development of an erosion and sediment control plan that is equivalent to the required SWPPP.

Implementation of the project could result in water quality degradation during construction and operation. Construction activities associated with the project would include grading, excavation, and vegetation removal, which would disturb and expose soils to water erosion, potentially increasing the amount of silt and debris entering the public stormwater system and downstream waterways. In addition, refueling and parking of construction equipment and other vehicles on-site during construction could result in oil, grease, and other related pollutant leaks and spills that could enter runoff. However, as discussed above, the project applicant would be required to prepare and comply with an SWPPP, which would include pollution prevention measures (erosion and sediment control measures and measures to control non-stormwater discharges and hazardous spills), demonstrate compliance with all applicable local and regional erosion and sediment control standards, identify responsible parties, and include a detailed construction timeline. The SWPPP must also include implementation of BMPs to reduce construction effects on receiving water quality by implementing erosion control measures and reducing or eliminating non-stormwater discharges.

Examples of typical construction BMPs included in SWPPPs are using temporary mulching, seeding, or other suitable stabilization measures to protect uncovered soils; storing materials and equipment to ensure that spills or leaks cannot enter the storm drain system or surface water; implementing a spill prevention and cleanup plan; and installing sediment control devices such as gravel bags, inlet filters, fiber rolls, or silt fences to reduce or eliminate sediment and other pollutants from discharging to the drainage system or receiving waters. SWPPP BMPs are recognized as effective methods to prevent or minimize the potential releases of pollutants into drainages, surface water, or groundwater. Strict SWPPP compliance, coupled with the use of appropriate BMPs, would reduce potential water quality impacts during construction activities.

Compliance with the existing regulatory environment described above would ensure that the project complies with all applicable water quality standards and waste discharge requirements. The project's impact would be less than significant.

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 would connect to the Town's water system, which does not rely on local wells. The Town's potable water supply is provided primarily from Windsor Water District wells in the Russian River Well Field, obtained under the Sonoma County Water Agency's diversion rights. Groundwater extraction from the Russian River alluvial aquifer would be subject to the conditions of the Sonoma County Water Agency water rights agreement. Future extractions from the aquifer would be managed in accordance with SWRCB regulations. For these reasons, the General Plan EIR determined that projected growth under the 2040 General Plan (Windsor 2018a) would not result in a depletion of groundwater supplies in the Santa Rosa Plain Sub-basin. The proposed project is consistent with the General Plan; therefore, the groundwater demand associated with the proposed project would not exceed the assumptions in the General Plan EIR. Impacts would be less than significant.

Because the project would create more than 10,000 square feet of new impervious surfaces, it is subject to Sonoma County's Standard Urban Stormwater Mitigation Plan regulations and low-impact development requirements. The increase in impermeable surfaces could potentially interfere with groundwater recharge; however, the proposed project is designed to incorporate a stormwater infiltration trench, roof drainage, valley gutter, and sump pump, which collects and diverts stormwater to the proposed infiltration trench. The infiltration trench allows for groundwater recharge. Therefore, impacts would be less than significant.

c)i) 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 result in substantial erosion or siltation on- or off-site?

No streams, rivers, wetlands or waters of the U.S. exist on-site. The proposed project would be designed to convey stormwater into the Town's stormwater conveyance system. Additionally, compliance with the NPDES permit would ensure that erosion and siltation does not occur on- or off-site during construction activities. Furthermore, the project would be required to adhere to Town Ordinance No. 2016-303, which addresses regulations for erosion control measures, based on the CBC. Impacts would be less than significant.

c)ii) 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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

The proposed project would introduce impervious surface area to the project site. However, operational BMPs are required for new development under the Town's Municipal Stormwater Permit (NPDES Permit No. CAS0029831). Provision C.3 of the Municipal Stormwater Permit requires the quality and quantity of stormwater flow from new development and redevelopment sites to be controlled. Specifically, the Town ensures that stormwater pollutant discharges are reduced through the incorporation of treatment measures and other appropriate source control and site design measures, as well as ensuring that increases in runoff flows are managed to the maximum extent practicable. Conditions of approval for development projects require the implementation of site design/landscape characteristics where feasible which maximize infiltration (where appropriate),

provide retention or detention, slow runoff, and minimize impervious land coverage, so that post-development pollutant loads from a site have been reduced to the maximum extent practicable. The project would be subject to Municipal Code Title IX, Chapter 4, Storm Water Quality, which ensures compliance with the Municipal Stormwater Permit. Therefore, the project would not increase the rate of runoff in a manner which would result in flooding on- or off-site. Impacts would be less than significant.

c)iii) 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 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?

As discussed above, the proposed project would be designed with low-impact development requirements limiting impervious surface and maximizing infiltration and stormwater reuse. The project is also designed with pollution prevention measures, including retention ponds and infiltration trenches, as required by the Town for all new development projects to limit pollutants in runoff.

The proposed project would comply with all Town stormwater policies and regulations. Impacts would be less than significant.

c)iv) 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 impede or redirect flood flows?

The project site is in Zone X, an area of minimal flood hazard, and is not prone to flooding. The project site is not located near any streams or rivers and would not impede or redirect flood flows. No impact would occur.

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

Windsor is more than 30 miles from the Pacific Ocean and therefore is not susceptible to tsunamis. Because of the project site's flat topography and distance from any unstable hillside, it is not susceptible to landslides and/or mudflows. The nearest water bodies to the project site do not have the potential to inundate the site during strong seismic shaking. Additionally, the project site is designated as Zone X on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), an area of minimal flood hazard (FEMA 2008). Therefore, there is no risk of release of pollutants due to project inundation, and there would be no impact.

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

As discussed above, the project would comply with existing regulations, plans, and policies related to erosion and water quality protection; therefore, the project would not conflict with a water quality control plan. The Town does not use groundwater for domestic use; therefore, the project would not conflict with a sustainable groundwater management plan. No impact would occur.

XI. Land Use and Planning

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
LAND USE AND PLANNING: *Would the project:*				
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?	☐	☐	☒	☐

Discussion

a) Would the project physically divide an established community?

The project site is an existing 1.66-acre lot on the corner of Old Redwood Highway and Courtyards East in an existing residential neighborhood. Development of the project site would not result in the physical division of the neighborhood. Therefore, there would be no impact.

b) Would the project 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?

The project site is designated by the Town of Windsor General Plan as Boulevard Mixed Use and is zoned Boulevard Commercial. The project includes a request for three development concessions: an elimination of required nonresidential components, a parking reduction, and higher exterior noise levels than Zoning Ordinance performance standards. The project is eligible for these concessions under State Density Bonus law, because the 100 percent of the units would be affordable housing to low- and very low-income families. The project site's land use designation is consistent with the zoning and General Plan and would not conflict with plans or policies adopted for the purpose of avoiding or mitigating an environmental effect or result in significant environmental impacts beyond those discussed throughout this document. Therefore, this impact would be less than significant.

XII. Mineral Resources

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
MINERAL RESOURCES: *Would the project:*				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion

The State of California's Surface Mining and Reclamation Act of 1975 (SMARA) regulates certain mineral resources of importance to the statewide economy, including sand and gravel. SMARA limits development in areas with significant mineral deposits, as defined in mineral resource zones (MRZs).

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

According to the Mineral Lands Classification maps for Sonoma County, the project site is classified as MRZ-1, "Areas where adequate information indicates that no significant mineral resources are present" (CDC 2005). Therefore, the project would not result in the loss of availability of a known mineral resource of value to the region or the state. No impact would occur.

b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

According to the General Plan, the only designated mineral resource area of local importance is the middle reach area of the Russian River. The project site is approximately 3 miles east of the Russian River; there would be no loss of availability of a locally important mineral resource and no impact would occur.

XIII. Noise

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
NOISE: *Would the project result in:*				
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 applicable standards of other agencies?	☐	☒	☐	☐
b) 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?	☐	☐	☒	☐

Discussion

a) Would the project result in 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 applicable standards of other agencies?

Short-Term Noise Generation/Exposure

Project construction would temporarily increase noise levels on the project site. The Windsor Municipal Code regulates noise from construction activities by limiting construction activities to the least intrusive periods. Municipal Code Section 7-1-1018 allows construction, alteration, or repair activities which are authorized by a valid Town permit between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between the hours of 8:00 a.m. and 7:00 p.m. on Saturday. No construction, alteration, or repair activities are permitted on Sunday unless authorized by the building official. Because the proposed project would be subject to compliance with the Town's Noise Ordinance, impacts would be less than significant.

Long-Term Noise Generation

The proposed project would generate an increase in vehicle trips, thereby resulting in an increase in traffic-generated noise. As discussed in detail in Section XVII, Transportation, the addition of project-generated trips on local roadways would not be significant. Therefore, the potential increase in noise along local streets from project-generated traffic alone would not exceed standards established in the Town's General Plan. Additionally, housing is not a noise-producing land use. This impact would be less than significant.

Long-Term Noise Exposure

The Windsor 2040 General Plan EIR indicates that the project site is within existing noise contours of 65 and 70 dBA. The predominant noise source in the project vicinity is roadway noise from Old Redwood Highway and U.S. Highway 101. Ambient noise from these sources is expected to increase slightly over the next 20 years, with more of the project site within the 70 dBA noise contour by the year 2040.

The General Plan EIR indicates that multifamily projects in the 60-70 dBA range are "Conditionally Acceptable: new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems, will normally suffice." A unit-specific acoustical analysis is required with building permit applications to ensure construction will meet interior CNEL of 45 dB or less, consistent with General Plan Policy PHS-8.3 (Interior Noise Threshold for New Residential).

The General Plan indicates that the maximum allowed exterior noise levels for multifamily land uses are 55 dBA from 7:00 a.m. to 10:00 p.m., and 50 dBA from 10:00 p.m. to 7:00 a.m. (PHS-8.2 Exterior Noise Standards for New Development). The General Plan EIR explains that these exterior noise guidelines apply to the primary usable outdoor area. Most of the Heritage Park project's usable outdoor spaces are behind the building, on the south side. These exterior spaces include a barbecue area, tot-lot, and community garden. There are balconies on the north side, facing Old Redwood Highway, which would be exposed to exterior noise levels greater than the maximum allowed limits. However, because the front balconies are not the primary usable outdoor areas, and because their removal would worsen the architectural design of the project, no further mitigation is needed for the front spaces. While impacts of the environment on a project are not considered impacts under CEQA, a sound wall along the west side of the project site may be required to ensure exterior noise levels at the rear of the site are within acceptable levels pursuant to HUD regulations, compliance with which is required to secure HUD funding. Mitigation measure **NOI-1** would require the construction of a sound wall as recommended by a noise study and would reduce noise impacts at the primary usable outdoor area to less than significant.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

The proposed project would include the construction and operation of affordable housing units. The use of pile drivers and other construction equipment may produce groundborne vibration and noise, but it would be temporary in nature and would be limited to the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. and 7:00 p.m. on Saturday. Operation of the proposed project would not create excessive groundborne vibration or groundborne noise levels. Impacts would be less than significant.

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 to the project site is the Sonoma County Airport, approximately 2 miles south. The project site is located outside of the Sonoma County Airport land use plan. There are no private

airstrips located in Windsor or its sphere of influence. Therefore, the project would not expose people residing or working in the project area to excessive noise levels associated with public airport or private airstrip noise. Airport noise impacts would be less than significant.

Mitigation Measures

NOI-1 **Sound Wall**

If determined to be necessary through consultation with HUD, a sound wall shall be constructed along the western property line to reduce traffic noise from U.S. Highway 101 to ensure exterior noise levels meet applicable standards. The sound wall shall be included on building and improvement plans.

Timing/Implementation: *Prior to Construction*

Enforcement/Monitoring: *Town of Windsor Community Development Department*

XIV. Population and Housing

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
POPULATION AND HOUSING: *Would the project:*				
a) Induce substantial unplanned population growth in an area, 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?	☐	☐	☒	☐

Discussion

The project site is located at the southwest limits of the Town. The project site is zoned Boulevard Commercial, and the General Plan designates the project site as Boulevard Mixed Use. The proposed project is consistent with the General Plan designation and is at the lower end of the density range. The land use designation allows a residential density of 16–32 dwelling units per acre. The proposed density is approximately 20 units per acre. Assuming 2.99 persons per unit, the proposed project would generate a population increase of 99.[2]

a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The project has been designed to the Town's planning policies and urban growth boundary. Affordable housing units are not subject to the Town's growth control ordinance. In addition, the project is consistent with the General Plan land use designation; thus, the population generated by the project was already assumed in growth projections. Therefore, impacts related to population and housing are less than significant.

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

The project site contains an existing vacant residence which would be demolished as part of the project. However, the residence appears to have been abandoned many years ago and has not been occupied recently. There would be no displacement impact.

[2] The California Department of Finance's 2019 population and housing estimates use 2.99 persons per household in the Town of Windsor.

XV. Public Services

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
PUBLIC SERVICES:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for 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:				
i) Fire protection?	☐	☐	☒	☐
ii) Police protection?	☐	☐	☒	☐
iii) Schools?	☐	☐	☒	☐
iv) Parks?	☐	☐	☒	☐
v) Other public facilities?	☐	☐	☒	☐

Discussion

a)i) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for 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 fire protection?

The Windsor Fire Protection District is a combination paid/volunteer fire department. The district serves 30,000 people in a 30.75-square-mile area comprising 5 square miles of the Town of Windsor and 25 square miles of surrounding unincorporated area. There are two fire stations in Windsor: Station 1 (Headquarters) at 8200 Old Redwood Highway, approximately 2,300 feet southeast of the project site, and Station 2 at 8600 Windsor Road, approximately 3,100 feet northwest of the project site. Both stations are staffed full-time.

The project site is in an area already served by fire protection services. Development of the project and the related increase in population is expected to result in an increased demand for fire protection. As required by the California Fire Code, the project would include site-specific design features such as ensuring appropriate emergency access, requiring structures to be built with approved building materials, and installing fire sprinklers as applicable. Conformance with the Fire Code reduces the risks associated with fire hazards. In accordance with standard Town requirements, the project applicant would be required to pay development impact fees for fire protection. Therefore, project impacts related to fire protection services would be less than significant.

a)ii) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for 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 police protection?

Law enforcement services for the project area are provided by the Windsor Police Department. The Police Department is staffed by Sonoma County Sheriff's Department employees through a negotiated contract between the County and the Town of Windsor. Law enforcement services include but are not limited to patrol duties, traffic enforcement, school resource officer, special event security, group/committee participation, conducting investigations, and a K9 unit. The Police Department is at 9291 Old Redwood Highway, approximately 3,400 feet northwest of the project site.

Development of the project and the related increase in population would result in an increased demand for police protection. Because the project site is in an area already served by police protection services and patrols, the Police Department would be able to serve the project without requiring additional facilities. As such, impacts on police protection services are considered less than significant.

a)iii) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for 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 schools?

The Windsor Unified School District provides education for those students in kindergarten through twelfth grade who reside in Windsor. The school district has identified that it is not able to meet the needs of current and projected student enrollment based on current state standards. The deficiencies include school acreage smaller than state standards; school sites near, exceeding, or projected to exceed enrollment capacity; and inadequate access and egress for the Windsor Creek Elementary School site. As shown in **Table 2**, the district has identified the enrollment capacity based on the 2016 Windsor Unified School District Faculties Utilization Master Plan (2016) and the student enrollment as of the 2015–2016 school year.

Table 2
School Enrollment and Capacity

School	Grades	Enrollment 2015-2016	Practical Capacity
Windsor High School	9–12	1,713	1,674
Windsor Oaks Academy	9–12	79	1,674
Windsor Middle School	6–8	945	N/A – no site, standards are not defined for alternative education
Cali Calmécac Language Academy	K–8	1,081	902
Matti Washburn Elementary	K–1	474	1,044
Brooks Elementary	4–5	459	509
Windsor Creek Elementary	2–3	448	484
Grace Academy (Private)	Pre-K–12	260	445

However, the proposed project alone would not trigger the need for additional school facilities, and exceeding school capacity is not considered a physical impact under CEQA. California Government Code Section 65995(h) states that "the payment or satisfaction of a fee, charge or other requirement levied or imposed...[is] deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073, on the provision of adequate school facilities."

As a residential project, payment of school impact fees would be required at the time building permits are approved. These fees would contribute to the construction of new school facilities. Under state law, payment of impact fees would render project impacts on schools less than significant.

a)iv) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for 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 parks?

Project implementation may result in the increased use of existing parks and recreational facilities. As detailed in the Town of Windsor's fee schedule, residential development fees are charged for park and recreation facilities; the fees are based on the number of dwelling units and the dwelling unit type. In accordance with the General Plan, the project will either contribute land or pay in-lieu park fees to help maintain existing facilities and/or add new facilities to keep up with growing demand. Therefore, impacts to parks would be less than significant.

a)v) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for 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 other public facilities?

The Windsor Regional Library serves the communities of Windsor, Larkfield-Wikiup, and Fulton. The library is located at 9291 Old Redwood Highway, approximately 2,900 feet northwest of the project site. The Sonoma County Library Facilities Master Plan (2016) states that at 7,600 square feet, the Windsor Regional Library is significantly smaller than needed for its currently served population. Windsor General Plan Policy PFS-10.4 (New Library) calls for the construction of a new library. While the added population from the project would place an additional demand on library services, the project itself would not require new or expanded facilities associated with library services that would result in substantial adverse physical impacts. In addition, the project is subject to the payment of development impact fees, a portion of which is related directly to public services such as the library. Therefore, project impacts would be considered less than significant.

XVI. Recreation

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
RECREATION:				
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?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion

The Town of Windsor maintains 19 parks, totaling approximately 119 acres, and has access to three regional parks operated by Sonoma County, totaling approximately 1,361 acres.

The project site is approximately 300 feet from Pueblo Viejo Park, a small neighborhood park that contains a children's play structure and lawn. The project site is also 2,700 feet from Town Green, a 4.5-acre community park. There are also three large regional parks on the Town's periphery: Shiloh Ranch Regional Park, Foothill Regional Park, and Riverfront Regional Park.

General Plan Policy PFS-9.5 (Park Standard) indicates the Town should provide 5 acres of neighborhood and community parks per 1,000 residents. With an estimated population of 27,423 in the year 2017, the policy would be met with a minimum of 137.1 acres of park and recreation facilities.

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?

The project would result in 99 additional residents, which represents less than 0.3 percent of the Town's population. Upon issuance of a building permit, the project applicant will be required to pay impact fees for parks, recreation, open space, and trails. These impact fees will allow the Town to provide new recreational opportunities and maintain existing facilities. Given the small population increase generated by the project, impacts on existing parks would be less than significant.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The project does not include recreational facilities or require the expansion of recreational facilities. Therefore, there would be no impact.

XVII. Transportation/Traffic

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
TRANSPORTATION: *Would the project:*				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Discussion

While this Appendix G Checklist Question has been modified by the Natural Resources Agency to address consistency with CEQA Guidelines section 15064.3, subdivision (b), which relates to use of the vehicle miles traveled (VMT) as the methodology for evaluating traffic impact, the Town of Windsor has not yet adopted a VMT methodology to address this updated Appendix G Checklist Question.

The Town has drafted a policy memorandum to guide VMT analysis on a project by project basis, until the Town adopts formal VMT significance thresholds and criteria (*Discussion Paper – Application of VMT Thresholds and Screening in Windsor*, April 21, 2020). Consistent with the California Office of Planning and Research (OPR) in its publication *Technical Advisory on Evaluation Transportation Impacts in*

CEQA, December 2018, the Town's policy memorandum indicates that 100 percent affordable residential developments may be presumed to have less than significant VMT impacts, if the project meets the following three criteria:

1. The project must provide 100 percent restricted affordable units, excluding unrestricted manager units (unless the Town sets a lower percentage of affordable units);
2. The project provides no more than the minimum number of parking spaces required by the Town's zoning ordinance.
3. The project does not adversely affect pedestrian, bike, or transit infrastructure.

The project satisfies all three criteria; therefore, the project's VMT impacts would be considered less than significant.

The following transportation analysis is based on Town's adopted methodology under its Transportation Impact Study Guidelines, which requires use of level of service (LOS) to evaluate traffic impacts of a project. Due to legislative changes to the California Environmental Quality Act effective January 1, 2020, impacts related to transportation level of service can no longer be considered significant. However, while LOS impacts are no longer an environmental issue under CEQA, the Town of Windsor General Plan 2040 requires projects to maintain minimum levels of service.

The analysis below is based on a Traffic Impact Study (TIS) performed by W-Trans in February 2020 (see **Appendix D**).

Study Intersections

Old Redwood Highway/2nd Street-Courtyards East is a four-legged intersection with stop controls on the northbound and southbound 2nd Street-Courtyards East approaches. There are crosswalks present at the north and south legs. Bicycle lanes are present along Old Redwood Highway at both approaches.

Existing Conditions Traffic Volumes

AM and PM peak hour intersection movement counts were collected in September 2019 at the study area intersection (see **Appendix D**). Figure 2 of **Appendix D** shows existing AM and PM peak hour volumes at the study intersection, and **Table 3** summarizes the existing intersection conditions. The operating conditions of the roadway facility are described in terms of LOS, with a scale ranging from LOS A (free-flow conditions) to LOS F (severely congested conditions).

Table 3
Existing Peak Hour Intersection Conditions

ID	Intersection	AM Peak Hour		PM Peak Hour	
		Delay[1]	LOS	Delay[1]	LOS
1	Old Redwood Hwy/2nd St-Courtyards E	1.6	A	1.4	A
	Northbound (Courtyards E) Approach	**43.7**	**E**	**56.8**	**F**
	Southbound (2nd St) Approach	19.0	C	20.6	C

Note: Deficient intersection operation indicated in bold.
[1] Average seconds of delay per vehicle.
LOS = level of service.
TWSC = two-way stop control.

As shown in **Table 3**, the study intersection is currently operating at an acceptable level of service (midlevel LOS D or better); however, because the northbound approach is operating below LOS D during both peak periods and serves more than 30 vehicles, according to the Town's guidelines, this is unacceptable.

Transit Facilities

Sonoma County Transit (SCT) provides fixed-route bus service in the Town of Windsor and within the County and provides service to the project site with stops on both sides of Old Redwood Highway at 4th Street. The route operates Monday through Friday with one-half to two-hour headways between 5:45 a.m. and 9:40 p.m. Weekend services operate with approximately one- to two-hour headways between 7:30 a.m. and 10:00 p.m.

SCT Route 60 provides regional services between the Town and surrounding communities.

Dial-a-ride, also known as paratransit, is available for those who are unable to independently use the transit system due to a physical or mental disability.

Pedestrian and Bicycle Facilities

Pedestrian facilities exist along Old Redwood Highway and on the east side of Courtyards East. No pedestrian facilities exist along the west side of Courtyards East along the project site. There are crosswalks across Old Redwood Highway at the Lakewood Drive-US 101 northbound off-ramps and Alden Lane.

Class II bike lanes exist on Old Redwood Highway between the US 101 northbound off-ramps and the southern Town limits. A Class III bike route is planned along 3rd Street and Jensen Lane, northeast of the project site.

a,b) Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?; Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Project Trip Generation

Table 4 summarizes the forecast project trip generation for the proposed project, which was calculated using trip generation rates contained in the *Institute of Transportation Engineers (ITE) Trip Generation Manual* (10th Edition). The trip rate for Multifamily Housing was used.

As shown in **Table 4,** the proposed project is forecast to generate approximately 180 daily trips, which includes approximately 12 AM peak hour trips and 15 PM peak hour trips, during typical weekday conditions.

Table 4
Forecast Project Trip Generation

Land Use	Size	Unit	Daily Trips	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
Multifamily Housing	33	DU	180	12	3	9	15	9	6

Notes: DU – dwelling units

Project Trip Distribution and Assignment

The project trip distribution was developed based on the 2010 Census for home-to-work trips. It was assumed that 55 percent of trips would be to/from the west on Old Redwood Highway, with the remaining 45 percent to/from the east.

Existing plus Project Conditions

Upon the addition of project-related traffic to the existing volumes, the study intersection is expected to continue operating acceptably overall, but at LOS E or F on the stop-controlled northbound approach. **Table 5** shows Existing plus Project traffic volumes.

Table 5
Existing Plus Project Trip Generation

ID	Intersection	AM Peak Hour		PM Peak Hour	
		Delay[1]	LOS	Delay[1]	LOS
1	Old Redwood Hwy/2nd St-Courtyards E	1.9	A	1.7	A
	Northbound (Courtyards E) Approach	46.9	E	61.9	F
	Southbound (2nd St) Approach	19.1	C	20.9	C

[1] Average seconds of delay per vehicle.

Because this northbound approach is operating below the adopted LOS D standard, consideration was given to the delay added to the intersection's operation to determine the significance of the project's impact. Overall, average delay is expected to increase by 0.3 seconds with project volumes for both peak hours, which is less than the Town's threshold of 5.0 seconds. Therefore, impacts related to added traffic volume by the proposed project are less than significant.

Future plus Project Conditions

The Town plans for a street connection between Old Redwood Highway and Courtyards East through the adjacent undeveloped property and the Holiday Inn at 8755 Old Redwood Highway. It is anticipated that 40 percent of inbound trips from the northwest would be redirected to access the project site via the future planned road. **Table 6** shows Future plus Project traffic volumes.

Table 6
Future Plus Project Trip Generation

ID	Intersection	AM Peak Hour		PM Peak Hour	
		Delay[1]	LOS	Delay[1]	LOS
1	Old Redwood Hwy/2nd St-Courtyards E	2.1	A	1.9	A
	Northbound (Courtyards E) Approach	54.0	F	69.5	F
	Southbound (2nd St) Approach	21.1	C	21.6	C

Upon the addition of project-generated traffic to anticipated Future volumes, and with the planned road connection to Old Redwood Highway, the study intersection is expected to operate acceptably overall but unacceptably on the northbound approach, with no changes to levels of services. However, the change in average delay would be less than 5.0 seconds; therefore, impacts related to Future plus Project traffic volumes are less than significant.

c) Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The proposed project includes the construction and operation of 33 affordable housing units. The project would not result in a change in air traffic patterns. No impact would occur.

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

There are no critical street curves in the vicinity of the proposed driveway and the project would not include any changes to the existing road system. However, the traffic study found that vehicles parked on Courtyard East on the project side limited site lines and recommended a prohibition of parking for 25 feet north of the project driveway. With this restriction, the project would not be expected to substantially increase hazards due to a design feature or incompatible use. Impacts would be less than significant.

e) Would the project result in inadequate emergency access?

Access to the project site is proposed on Courtyards East. The proposed project would be designed to provide adequate emergency access. The Fire District has reviewed the site plan and confirmed that there is adequate turning radius for emergency vehicles. Therefore, sufficient access, including emergency access, would be provided to the project site. Impacts would be less than significant.

f) Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Accommodations for pedestrians would be provided on the project site. The project would not conflict with any adopted Town policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. No impact would occur.

XVIII. Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
TRIBAL CULTURAL RESOURCES:				
a) Would the 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 Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Discussion

Assembly Bill (AB) 52 requires the lead agency (in this case, the City) to begin consultation with any California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if (1) the California Native American tribe requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification and requests the consultation (Public Resources Code Section 21080.3.1[d]).

As required by AB 52, the Town of Windsor provided written notification to three tribes that have requested notification of projects subject to CEQA within the Town: Lytton Rancheria, Federated Indians of Graton Rancheria, and Middletown Rancheria of Pomo Indians. As described in Section V, Cultural Resources, consultation request letters were sent to tribes on May 29 and 31, 2018. Based on consultation conducted by the Town, Middletown Rancheria identified no cultural sites within the Town's boundaries and no longer requires AB 52 notifications, and Lytton Rancheria requested notification of tribal cultural resources and human remains if identified during project-related construction. No response was received from Graton Rancheria. No tribal cultural resources were identified within the project site as part of the AB 52 consultation conducted by the Town. See **Appendix C**.

Further, no archaeological or tribal cultural resources were identified as part of the following cultural resource studies completed for the project: *Historic Property Survey for the Heritage Park Apartments Project, 8685 Old Redwood Highway, Windsor, Sonoma County, California* (Evans 2018); and *Results of An Extended Phase I Archaeological Study for the Proposed Heritage Park Apartments Project, 8685 Old Redwood Highway, Windsor, Sonoma County, California* (Evans 2019). The studies included delineation of the area of potential effect (APE), a Northwest Information Center records search, historic map review, Native American Heritage Commission sacred lands file search, Native American consultation, archaeological field surveys, archival research, and archaeological testing within the APE, and are discussed in Section V.

a)i) Would the 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 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)?

a)ii) Would the 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 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 Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

No tribal cultural resources were identified in the project area during AB 52 consultation with tribes. Nor were resources identified as part of the archeological identification and testing studies discussed in Section V: *Historic Property Survey for the Heritage Park Apartments Project, 8685 Old Redwood Highway, Windsor, Sonoma County, California* (Evans 2018); and *Results of An Extended Phase I Archaeological Study for the Proposed Heritage Park Apartments Project, 8685 Old Redwood Highway, Windsor, Sonoma County, California* (Evans 2019). As such, there are no known tribal cultural resources (as defined in Public Resources Code Section 21074) within the project area. In the event that tribal cultural resources are observed during project construction activities, mitigation measure **CUL-1** and **CUL-2** are in place to reduce impacts to less than significant levels.

XIX. Utilities and Service Systems

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS: *Would the project:*				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient 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 management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion

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

The Town's wastewater treatment facility has a capacity of 2.25 million gallons per day (MGD). The wastewater treatment facility is permitted for an average dry weather flow of 1.9 MGD (Windsor 2019). A Water Demand Study, performed by Water Resource Engineering Associates in July 2019 (**Appendix E**), estimates that the proposed project's water demand would be 9,360 gallons per day (GPD). Assuming 100 percent of the domestic water would be converted to wastewater and discharged to the wastewater treatment system, the wastewater treatment facility has sufficient capacity remaining to adequately treat domestic wastewater from the proposed project. The existing conveyance and treatment facilities serving the Town have sufficient capacity to serve the project.

Existing electric, telecommunications, gas, and sewer lines run the length of Old Redwood Highway that borders the project site. An existing water line also runs along Courtyards East. The project would connect to these existing lines and no relocation, construction, or expansion would be necessary.

The project would connect to the existing storm drainage line on Old Redwood Highway. Stormwater from the project site would flow into proposed on-site bioretention basins, an infiltration trench, or storm drains before draining to the existing storm drain line. The project would not require the relocation, construction, or expansion of storm drainage facilities.

No new or expanded wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities would be required, and impacts 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?

The 2040 General Plan EIR projects that the Town is expected to have sufficient water supply to accommodate planned development through 2040. The project would be part of the planned development. Furthermore, the 2015 Urban Water Management Plan for the Town of Windsor projects that there would be a surplus of water during normal, dry, and multiple dry years. Therefore, the project would be accommodated with the current entitlements. Impacts would be less than significant.

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?

As discussed above, the Town has adequate wastewater treatment capacity to serve the project and its existing commitments. No impact would occur.

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?

There are no landfills in Windsor or in the Town's sphere of influence. The Town receives services from Sonoma County Resource Recovery (SCRR) to pick up solid waste, recyclables, and green waste. Nonrecyclable solid waste and green waste are delivered to the Healdsburg Transfer Station at 166 Alexander Valley Road in Healdsburg, California. The transfer station has a permitted capacity of 720 tons per day. The Town of Windsor's waste delivery agreement requires SCRR to direct inorganic nonrecyclable trash to the Central Disposal Site in Petaluma, California. The Central Disposal Site has a daily permitted disposal of about 1,050 tons per day and a remaining capacity of about 9 million cubic yards (Santa Rosa 2009).

The project would generate a demand for solid waste collection services. According to the California Department of Resources Recycling and Recovery (CalRecycle), the statewide per resident disposal rate was 5.2 pounds per resident per day in 2017 (CalRecycle n.d.). With an estimated 99 residents, the project would generate 514.8 pounds of solid waste per day, or approximately 94 tons per year. Given the capacity of the facilities that would serve the project site, waste facilities with adequate capacity are available to accommodate the additional solid waste. Therefore, impacts would be less than significant.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The State of California has mandated a 75 percent waste diversion rate that must be met by 2020. In 2006, Sonoma County had a waste diversion rate of 64 percent (Zero Waste n.d.). In 2015, Sonoma County and its cities signed a Master Operations Agreement, which would implement programs to bring the rate of diversion to 80 percent or more. The County has adopted several waste reduction initiatives, including a carryout bags ordinance and the Sonoma Green Business Program, to promote and divert an amount of waste away from landfills. The project would be required to follow all federal, state, and local regulations regarding solid waste disposal. Compliance with these regulations would ensure that impacts would be less than significant.

XX. Wildfire

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
WILDFIRE: *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*				
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?	☐	☐	☐	☒

Discussion

a) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

The project site is not located in a State Responsibility Area or land classified as a Very High Fire Hazards Severity Zone. No impact would occur.

b) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project, 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 site is not located in a State Responsibility Area or land classified as a Very High Fire Hazards Severity Zone. No impact would occur.

c) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project 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?

The project site is not located in a State Responsibility Area or land classified as a Very High Fire Hazards Severity Zone. No impact would occur.

d) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project 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?

The project site is not located in a State Responsibility Area or land classified as a Very High Fire Hazards Severity Zone. No impact would occur.

XXI. Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the project have the potential to substantially 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, substantially 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?	☐	☐	☒	☐
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 substantially 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, substantially 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?

Mitigation measures identified in Section IV, Biological Resources, would reduce potential impacts to plant and wildlife species to less than significant. None of the potential impacts identified for the proposed project have the potential to 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, or reduce the number or restrict the range of rare or endangered plants or animals.

Mitigation measures identified in Sections V, Cultural Resources, and Section XVIII, Tribal Cultural Resources, would reduce potential impacts to cultural and historical resources to less than significant. The proposed project would not eliminate important examples of the major periods of California history or prehistory. Impacts would be less than significant with mitigation incorporated.

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)?

The proposed project would not result in any potentially significant impacts; therefore, the potential for the project to result in cumulative effects in combination with other planned or anticipated improvements is low. In general, individual greenhouse gas (GHG) emissions do not have a large impact on climate change. However, once added with all other GHG emissions in the past and present, they combine to create a perceptible change to climate. Because of the extended amount of time that GHGs remain in the atmosphere, any amount of GHG emissions can be reasonably expected to contribute to future climate change impacts. The amount of CO2 emissions from the proposed project, although measurable, would be minor. On a global scale, the proposed project would contribute a negligible amount to global cumulative effects to climate change. Therefore, the proposed project's contribution to GHG emissions would not be cumulatively considerable, and this would be a less than significant impact.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

No impacts identified in this Initial Study would cause substantial adverse effects on human beings. Impacts would be less than significant.

SECTION E. REFERENCES

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

Cal Fire (California Department of Forestry and Fire Protection). 2008. Sonoma County Very High Fire Hazard Severity Zones in Local Responsibility Area map. http://www.fire.ca.gov/fire_prevention/fhsz_maps_sonoma

CDFW (California Department of Fish and Wildlife). 2018. California Natural Diversity Database. Quadrangle reports for Healdsburg, Santa Rosa, Mark West Springs, Geyserville, Sebastopol, Jimtown, Kenwood, Mt. St. Helena, and Guerneville USGS 7.5-minute quadrangles.

CalRecycle (Department of Resources Recycling and Recovery). n.d. California's Statewide Per Resident, Per Employee, and Total Disposal Since 1989. Accessed May 16, 2019. https://www.calrecycle.ca.gov/lgcentral/goalmeasure/disposalrate/graphs/disposal.

CDC (California Department of Conservation). 1983. Healdsburg Quadrangle Special Study Zone.

———. 2005. Mineral Lands Classification of Aggregate Materials in Sonoma County, California. https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc

———. 2016a. Farmland Mapping and Monitoring Program map. https://www.conservation.ca.gov/dlrp/fmmp/Pages/Sonoma.aspx.

———. 2016b. State Williamson Act Map. https://www.conservation.ca.gov/dlrp/wa/Pages/stats_reports.aspx.

———. 2018. California Landslide Inventory. https://maps.conservation.ca.gov/geologichazards/

De Shazo, Stacey. 2018. *Historic Resource Evaluation for the Heritage Park Apartments Project, 8685 Old Redwood Highway, Windsor, Sonoma County, California.* Evans & De Shazo. On file with the Town of Windsor

Evans, Sally. 2018. *Historic Property Survey for the Heritage Park Apartments Project, 8685 Old Redwood Highway, Windsor, Sonoma County, California.* Evans & De Shazo. On file with the Town of Windsor.

———. 2019. *Results of An Extended Phase I Archaeological Study for the Proposed Heritage Park Apartments Project, 8685 Old Redwood Highway, Windsor, Sonoma County, California.* Evans & De Shazo. On file with the Town of Windsor.

FEMA (Federal Emergency Management Agency). 2008. Flood Insurance Map 06097C0566E. https://msc.fema.gov/portal/search?AddressQuery=8685%20Old%20Redwood%20Hwy%2C%20Windsor%2C%20CA%2095492#searchresultsanchor

NRCS (Natural Resources Conservation Service). 2019. Web Soil Survey. Accessed May 16, 2019. https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx

Patterson, C. A., B. Guggolz and M. E. Waaland. 1994. Seasonal Wetland Baseline Report for the Santa Rosa Plain, Sonoma County. Prepared for California Department of Fish and Game, Yountville.

Santa Rosa, City of. 2009. Draft General Plan 2035 Environmental Impact Report. https://srcity.org/DocumentCenter/View/3096/Draft-General-Plan-Environmental-Impact-Report-Santa-Rosa-2035-PDF

SRPCST (Santa Rosa Plain Conservation Strategy Team). 2005. Santa Rosa Plain Conservation Strategy (Final). December 1, 2005.

Sonoma County Library. 2016. Sonoma County Library Facilities Master Plan. https://sonomalibrary.org/sites/default/files/attachments/facilities/161214_Facilities%20Master%20Plan%20FINAL.pdf.

Sonoma County Regional Climate Protection Authority. 2016. Climate Action 2020 and Beyond. https://rcpa.ca.gov/wp-content/uploads/2016/07/CA2020_Plan_7-7-16_web.pdf/

USFWS (United States Fish and Wildlife Service). 2007. Programmatic Biological Opinion for U.S. Army Corps of Engineers Permitted Projects that May Affect California Tiger Salamander and Three Endangered Plant Species on the Santa Rosa Plain, California (Corps File Number 223420N).

Windsor Unified School District. 2016. Facilities Utilization Master Plan. https://drive.google.com/file/d/1Ul_muVhtpwV5VMgqLeH4p6kXxR2aCMh3/view?ts=5bbba15a

———. 2015. Urban Water Management Plan. https://www.townofwindsor.com/DocumentCenter/View/21109/UWMP-Final-2015.

———. 2017a. Local Hazard Mitigation Plan. https://www.townofwindsor.com/DocumentCenter/View/19401/LHMP-Public-Review-draft-021617-part-1?bidId=

———. 2018a. 2040 General Plan. Accessed May 14, 2019. https://www.townofwindsor.com/DocumentCenter/View/21498/Final-Town-of-Windsor-2040-General-Plan_2018-06-04

———. 2019. Water Reclamation Facility Modernization Study. https://www.townofwindsor.com/DocumentCenter/View/22571/Modernization-Study_Feb-28-2019_Printer-Friendly-1

Zero Waste Sonoma. n.d. Waste Diversion Requirements. Accessed May 16, 2019. https://zerowastesonoma.gov/waste-stream-profiles

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